

**Lesotho:**

# Gender Assessment

**Samaneh Hemat**

**Jennifer Smout**

**Bandita Sijapati**

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Ministry of Gender and Youth,  
Sports and Recreation  
Department Of Gender



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1818 H Street NW  
Washington, DC 20433  
Telephone: 202-473-1000  
Internet: [www.worldbank.org](http://www.worldbank.org)

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# Executive Summary

The primary objectives of this assessment are to provide an overview of trends and patterns of gender equality in Lesotho, analyze gender gaps, and identify areas where action can be taken to narrow the persistent gender gaps. Given that the assessment was undertaken during the period of the COVID-19 pandemic, it includes specific reference to some challenges that have emerged during the health crisis. The targeted audience is the government of Lesotho, the World Bank, other development partners, and civil society organizations.

The assessment attempts to address four questions: (1) What are the key gender gaps in Lesotho? (2) How have these gender gaps changed over time and across different groups? (3) What are the barriers to achieving gender equality? and (4) What are the priority areas where urgent actions are needed to support bridging key gender gaps? To address these questions, the analytical framework for the assessment builds on the three domains of gender equality, namely human endowments, economic opportunities, and voice and agency, as framed in the *World Bank Group Gender Strategy (2016–2023)* and the *World Development Report 2012: Gender Equality and Development*. The human endowments domain focuses on health and education; the economic opportunities domain assesses the progress and gaps, as measured by participation in economic activities and access to and control of key productive assets; and the voice and agency domain focuses on freedom from violence, the ability to have voice and influence in governance and political processes, and the ability to exercise control in key decisions such as marriage, sexual activity, and childbearing.

The assessment adopts a mixed method approach, including primary and secondary research to enable the triangulation of results. Gender gaps and their drivers are identified under each of the above three categories and in turn inform the final selection of ways forward to strategically bridge specific priority gender gaps. The assessment also points to areas where data gaps exist in national statistical databases<sup>1</sup> and where additional research would be beneficial and necessary to inform evidence-based policy making.

## Progress, Trends, and Persisting Challenges on Gender Equality

Lesotho is a lower-middle-income country with high rates of poverty, income inequality, and unemployment, and with notable gender gaps across these indicators. With a national poverty rate of 49.7 percent in 2017, poverty also has a strong gender and rural dimension. Female-headed households, particularly those headed by single women, experience acute levels of poverty at 64 percent. While gender-disaggregated data are not systematically available, the depth and severity of poverty in rural areas are characterized by marked gender gaps. Even though Lesotho is considered the least unequal country among its Southern African neighbors, it is still among the 20 percent of the most unequal countries in the world, with

<sup>1</sup> See appendix H.

a Gini coefficient (measuring income or wealth inequality) of 44.9. The official unemployment rate among females is 22.4 percent, which is similar to that of males at 22.6 percent. However, females make up a larger proportion of the unemployed youth population in urban areas (58.1 percent compared to 41.9 percent for males).

Legislative progress on gender equality has been significant but women continue to experience significant barriers, especially due to patriarchal gender norms. Patriarchal norms permeate all levels and areas of Basotho society, relegating women primarily to the household. These norms also affect both boys' and girls' education and their life aspirations. Consequently, women's capacity to participate in decision-making processes outside the household, their power in relationships, and their ability to participate economically are limited. In addition, the balance between customary and state law is unequal, and contradictions between the two legal frameworks often result in customary law taking primacy, with the application of customary laws generally more discriminatory against women. While it was only in 2006 that the Legal Capacity of Married Persons Act removed the minority status accorded to women, Lesotho has since developed a strong policy framework that compares favorably with other countries in the Southern African region. In 2010, the Land Act was passed, giving women the right to own or inherit land by addressing barriers featured in customary law. Despite legislative progress, gender inequality persists. The Global Gender Gap Index score for Lesotho in 2021 was 0.681, which places it 92nd out of 156 countries in terms of distance to achieving gender parity.<sup>2</sup> This is a drop of more than 80 places since 2010, when it was ranked eighth out of 144 countries with a score of 0.7678. A key factor accounting for the drop in score is persistent discrimination leading to differences in human endowments, unequal remuneration for equal work, low labor force participation of women, low representation of women in senior positions and management, and women's limited participation in the political system.

**Human endowments.** In Lesotho, there is parity in access to education and enrollment in the early grades, but gender gaps persist in terms of low rates of retention and differences in participation and completion of boys and girls. For example, the lower secondary completion rate in Lesotho is only 50 percent, with a completion rate of 58.5 percent for girls and a much lower 41.4 percent for boys. Among boys, high dropout rates are noticeable in primary and secondary schools, particularly in rural and mountainous areas, where boys leave school to support their families' livelihoods, primarily as herders or small-scale farmers. Dropout rates for girls also increase after primary school, driven by poverty and the costs of schooling. In the health sector, Lesotho has persisting challenges that link back to the need to improve the overall quality of health care. Although not rooted in gender, these challenges or gaps have gendered outcomes. For instance, Lesotho has one of the highest maternal mortality ratios in the Southern African Development Community (SADC).

**Economic opportunities.** Lesotho's history and contemporary reality of migrant labor leaves many women as de facto heads of families. While this has led women to seek employment, including in the formal sector, the gender gaps in economic participation and opportunities in Lesotho have persisted without any reduction in women's double burden of employment and household responsibilities.<sup>3</sup> In 2019, the female-to-male labor force participation ratio was 79.7—the fourth lowest in the SADC region—and women earned 28 percent less than men. In terms of distribution by sector, a higher percentage of women work within a household as a domestic worker (31.2 percent of women compared to 11.4 percent of men), and while a slightly higher percentage of females (19.9 percent) than males (15.4 percent) are

<sup>2</sup> The Gender Gap Index for Lesotho was 0.7678 in 2010 and 0.681 in 2021. Even among countries in the region, in 2010, Lesotho was ranked first in Sub-Saharan Africa, but by 2021 this had declined to 14th.

<sup>3</sup> See wage tables in appendix F.



employed in the public sector, they are clustered at the clerical and technical levels, with less representation in more senior jobs. Although Lesotho has a high percentage of female-owned firms in the formal sector (39.1 percent), female-owned businesses in Lesotho tend to start and stay small (45 percent remain in this category, with between 1 and 10 employees) and are concentrated in a few trades (manufacturing and services).

Reforms to land administration brought about by the Land Act of 2010 have significantly improved women's access to and ownership of land, especially in urban areas. However, the full intended effects of the act are constrained by poor implementation and "forum shopping."<sup>4</sup> Unequal treatment over inheritance and patriarchal norms regarding asset control has translated into a lower capacity for women to use land or capital as collateral, access credit, or mobilize productive assets to generate revenue.

**Voice and agency.** Although Lesotho has laws that support equal rights of women to inheritance, property, and pensions, women's lack of voice and agency persistently drives gender gaps in outcomes. Key issues have been prevailing customary laws, particularly in rural areas; conservative attitudes and practices; women's underrepresentation in national and local decision-making bodies; the limited voice of women within households, which is associated with their lower control over household resources and decisions relating to fertility preferences; and exposure to gender-based violence. Women's representation in politics has declined over the last decade and is below the standard SADC and African Union declared targets of 30 percent and 50 percent gender parity, respectively. At the national level, while women's representation improved from 11.7 percent in 2006 to 23.3 percent in 2020, the ratio is still below the global average of 24.5 percent. However, women's representation in local government has increased both as elected leaders and as administrative staff, though they largely remain concentrated in technical-level positions with a limited role in decision-making.<sup>5</sup> The existence of male-dominated chieftainships further compounds the favoring of men as key decision-makers and principal owners of key resources within households and communities. Furthermore, the prevalence of gender-based violence in Lesotho is higher than the global estimate of 30 percent.<sup>6</sup> About 42.8 percent of Basotho women report having experienced physical or sexual violence in their lives, more than half (52.4 percent) within the past 12 months.

Due to COVID-19 lockdown measures, some gender gaps are expected to have widened. Adolescents and young women have become more vulnerable to gender-based violence, early and unwanted pregnancies, and child marriage. Further, fallout from South Africa's economy since the onset of the COVID-19 pandemic has disrupted supply chains in Lesotho, causing a decline in key sectors—especially micro, small, and medium enterprises, textiles, and tourism—where women have a heavy presence. The pandemic also had an impact on women and men migrant workers and their families when these workers were either stranded in South Africa or had to return to Lesotho, or were unable to send money home during the pandemic. These declines in employment for both men and women will have a stronger impact on poverty levels in rural households; impacts in terms of gender gaps may emerge in time.

<sup>4</sup> Forum shopping occurs when a party attempts to have their action tried in a particular court or jurisdiction where they feel they will receive the most favorable judgment or verdict.

<sup>5</sup> Women's representation in local government structures (40 percent) exceeds that at the national level (23 percent).

<sup>6</sup> For a more detailed overview of trends, please refer to appendix C.

## Taking Action to Bridge Priority Gender Gaps Affecting Women and Girls

Priority areas for action stemming from this assessment are categorized into eight ways forward and concentrate on those areas where constraints on gender equality have been most persistent and gender gaps are likely to have increased with the impacts of the COVID-19 pandemic.<sup>7</sup> For the most part, the opportunities that are identified build on the government's agenda in the National Gender and Development Policy (2018–2030) and the second National Strategic Development Plan (2018–2023). They are further informed by consultations with relevant stakeholders in fine-tuning and validating the specific recommendations.<sup>8</sup> Accordingly, the ways forward include the following.

1. **Recognize, reduce, and redistribute unpaid care work and improve working conditions for women.** These aims can be achieved in the medium to long term through social norm change programs and behavior change communication developed in partnership with civil society organizations. Supporting actions include providing paid and gender-equitable parental leave to foster improved family structures and norms combined with behavior change and awareness-raising programs to ensure the uptake of paternity leave; regulatory and enforcement procedures to improve working conditions for women workers, particularly in women-dominated and informal sectors such as manufacturing and the household sector; improving the affordability and accessibility of childcare options for low-income households, with a focus on free and low-cost options; and promoting pay transparency and equal pay for equal work for both men and women.
2. **Support pregnant, parenting, and at-risk adolescent girls to stay in school and facilitate return.** Actions in the short term could include finalizing the Prevention and Management of Learner Pregnancy Policy, which includes specific measures for supporting pregnant and at-risk girls and expediting the ongoing reform of the Children's Protection and Welfare Act of 2011 to include a provision prohibiting marriage before 18. In the medium to long term, the emphasis should be on social norm change programs with a focus on building girls' personal aspirations and attitude change programming for boys as a counterpoint to the influence of patriarchal values endorsing child marriage and refusal to use contraception.
3. **Support boys and girls to enter and stay in secondary school and make it easy for them to return if they drop out.** This medium- to longer-term objective can be achieved by promoting social norm change programs to keep boys and girls in school (changing norms related to the roles of boys and girls in society) and targeting initiation schools and the reintegration of boys into the formal school system after initiation.
4. **Prepare girls for education and employment in high-earning fields.** Measures in this area include promoting education in science, technology, engineering, and mathematics (STEM), with a focus in the short term on increasing women's access to internships and programs for young professionals and in the medium to longer term on implementing programs targeting teachers, students, and parents that challenge the social norms that hinder girls' uptake of and success in higher-earning professions. Such programs could provide targeted peer group support and role modeling of women in STEM; and introduce employment targets for women in STEM.

<sup>7</sup> The areas for action focus on gaps most affecting girls and women, considering the predominant historical effect that gender inequalities have had on this group.

<sup>8</sup> The detailed selection criteria that informed the ways forward and action areas selected are available in chapter 7.



5. **Promote women's land rights, with a focus on rural women.** Short-term measures in this area include strengthening the local capacity and knowledge of community councils, chiefs, and rural women on matters related to land rights under the Land Act of 2010; and supporting and expediting ongoing legal reforms to inheritance laws led by the Lesotho Law Reform Commission and supporting other critical reforms, including establishing a national land registry that consists of rural land and digitization of land records from community councils. Equally important are reforms in the management of land disputes relating to inheritance and regularizing land markets to tackle the emerging issue of exploitative land transactions and increasing land inequality in Lesotho, which has concentrated impacts on women-headed households and other vulnerable groups.
6. **Enhance women's financial inclusion and entrepreneurship.** Short-term measures to support this aim could include legislative interventions, such as enacting the Public Procurement Bill of 2021 and conducting assessments with a focus on lagging rural areas, to inform future public and private sector interventions. Medium- to longer-term interventions include introducing comprehensive gender-focused business development services, particularly in rural areas; developing new mechanisms for evaluating women's creditworthiness; and capacity building in both bank and nonbank financial institutions, including microfinance institutions, to address the discrimination that persists, despite the legal protections, and support the effective implementation of laws on the ground.
7. **Strengthen women's participation in local government and resource the mechanisms on gender-based violence.** In the short term, equal candidature of women in electoral processes should be supported by introducing a legislated quota system for parity within the political system and revitalizing efforts to reform the Chieftainship Act of 1968. In the short term, the government of Lesotho could also support the development of a well-resourced action plan towards meaningful implementation of the Counter Domestic Violence Bill 2021 and adequately resource and enhance the capacity of the Anti-GBV Coordination Forum, as well as expediting the rollout of the national gender-based violence data collection tool to support evidence-based policy-making and programming.
8. **Initiate gender-responsive budgeting, cutting across relevant ministries.** Such an initiative would, in the short term, build national capacity in gender-responsive budgeting at the macro and micro levels, including planning, tracking, monitoring and evaluation. In the medium to longer term, the focus should be on piloting gender-responsive budgeting with an emphasis on programs and policies relating to labor force participation and employment in a line ministry where the impact on narrowing gender gaps can be significant. Line ministries responsible for programs or policies relating to women in informal employment, women entrepreneurs, the household sector, and the manufacturing sector would be the most relevant for this intervention.

# Abbreviations

<b>AIDS</b>	acquired immune deficiency syndrome
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CMS</b>	Continuous Multipurpose Household Survey
<b>GDP</b>	gross domestic product
<b>GGI</b>	Global Gender Gap Index
<b>HBS</b>	Household Budget Survey
<b>HIV</b>	human immunodeficiency virus
<b>IFAD</b>	International Fund for Agricultural Development
<b>ILO</b>	International Labour Organization
<b>MBFI</b>	member-based financial institution
<b>MSME</b>	micro, small, and medium enterprise
<b>NSDP</b>	National Strategic Development Plan
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>SADC</b>	Southern African Development Community
<b>SDG</b>	Sustainable Development Goal
<b>STEM</b>	science, technology, engineering, and mathematics
<b>TVET</b>	technical and vocational education and training
<b>UNDP</b>	United Nations Development Programme
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>WEF</b>	World Economic Forum





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# 1. Introduction

## 1.1. Rationale and Primary Objective

The primary objective of this assessment is to identify the key gender disparities in Lesotho and provide an overview of how well it is doing in addressing issues of gender inequality. The assessment analyses key gender gaps in Lesotho through the lens of three domains of gender inequality, namely human endowments, economic opportunities, and voice and agency. In this regard, the report is not intended as a comprehensive sectoral gap assessment. A focused set of eight ways forward, which build on existing policies and programs initiated by the government of Lesotho, have been identified to guide strategic areas of intervention for the advancement of gender equality. These areas for action represent opportunities to narrow gender gaps that are interdependent and, if implemented, will constitute foundational interventions in the path toward closing the widest and most persistent gender gaps in the country. The report's main target audience is the government of Lesotho, with the World Bank and its partners constituting the secondary audience.

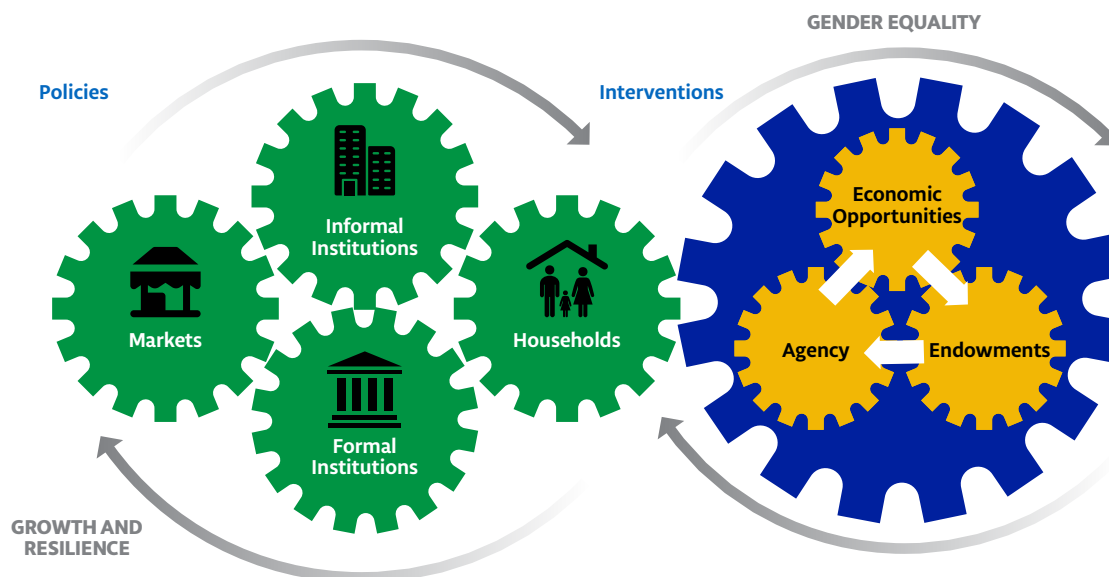
## 1.2. Conceptual Framework and Methodology

The gender assessment is informed by the conceptual framework of the *World Development Report 2012: Gender Equality and Development* (World Bank 2012) and the *World Bank Group Gender Strategy (FY16–23): Gender Equality, Poverty Reduction, and Inclusive Growth* (World Bank 2015). Gender is understood as the social, behavioral, and cultural attributes, expectations, and norms associated with being male or female, and to address gender gaps, focus is required on socially determined gender inequalities, which are deeply rooted in attitudes, institutions, and market forces in any particular society. Males and females are not homogeneous groups but are stratified by race, ethnicity, disability, sexual orientation, and gender identity, which, together with income level, geographic location, and migratory status, can lead to multiple overlapping layers of vulnerability and discrimination.

This conceptual framework posits that gender equality can be achieved when there is measurable progress across three domains: (1) human endowments, especially with regard to health and education; (2) economic opportunities, in terms of participation in economic activities and access to and control of key productive assets; and (3) voice and agency, as measured by political participation, freedom from gender-based violence, and the ability to make key decisions. Further, it holds that households, markets, and institutions (both formal and informal), and the interactions between them, all influence gender equality and economic development. The interactions of individuals and households with markets and institutions, and the ways in which institutions and policies shape these interactions and are in turn shaped by them, ultimately influence gender outcomes. Figure 1.1 depicts the interconnectedness between the three domains (as represented by the arrows); the potential of programmatic interventions to tackle specific issues in these domains (as represented on the right of figure 1.1); and, in a world facing recurring climatic disasters and conflict-related shocks, the interactions between households, markets, and institutions that influence gender equality growth and resilience. Using the conceptual framework depicted in figure 1.1, the assessment identifies high-level gaps in each of the three domains, focusing on those gaps that have intensified and remained persistent in recent years and highlighting areas for action that intersect at the household, market, law and policy, and institutional levels.

In the case of Lesotho, gender gaps are found to be most persistent in the economic opportunities domain (addressing constraints on decent employment and barriers to women's ownership and control of assets) and the voice and agency domain (women's role in



**Figure 1: Conceptual Framework**

Source: World Bank Gender Strategy 2016-2023

decision-making structures and addressing gender-based violence). The eight ways forward in turn focus on critical and persisting gaps across all three domains. They are interrelated and, if implemented, will contribute to improving the agency of women to make decisions at the household, local, and national levels, stimulating the drivers that promote more and better jobs for women, and removing barriers to their ownership and control and assets. In this way, while the areas for action are by no means exhaustive, they are necessary first steps that can be built on to begin bridging key gender gaps as they relate to improving outcomes for women, especially under the economic opportunities domain.

## 1. Methodology

The assessment is based on the application of a mixed method approach using primary and secondary research to enable the triangulation of results. The assessment combines an extensive review of secondary literature, including analysis of relevant data and statistics. In addition, it includes primary research in the form of qualitative interviews and roundtables with a group of 92 stakeholders representing the government, United Nations agencies, nongovernmental organizations, financial institutions, academia, and development partners, which took place both in person before the pandemic and virtually thereafter. The information garnered from consultations shaped the recommendations in this report, as well as helped to strengthen the information contained herein. All data in this report reflect availability as of April 13, 2021, unless otherwise specified.<sup>9</sup>

<sup>9</sup> For more detail on the methodologies used, refer to appendix B; for more information on the stakeholders consulted, refer to appendix A.

## 2. Data Limitations

This assessment sought to identify and analyze a broad spectrum of data aimed at understanding the gender situation. Gaps in data, both generally and related to differences in gender and other vulnerabilities, proved to be a significant shortcoming.<sup>10</sup> For instance, as of December 2020, data for only 33.6 percent of the indicators needed to monitor the Sustainable Development Goals from a gender perspective were available in Lesotho, with gaps in key areas, including violence against women and key labor market indicators, such as the unemployment rate and gender pay gaps. In addition, many areas—such as gender and poverty, physical and sexual harassment, women’s access to assets (including land), and gender and the environment—lack comparable methodologies for regular assessment and monitoring.<sup>11</sup> A more detailed overview of those specific knowledge gaps on gender and potential areas of further research identified in the course of the assessment can be found in appendix H.

## 3. Structure of the Report

Chapter 2 highlights cross-cutting issues and the law and policy context for gender equality in Lesotho. Chapter 3 provides an overview of key gender gaps in human endowments, with a focus on health and education. Chapter 4 examines gender gaps in economic opportunities, with a focus on gender gaps in labor market outcomes (including labor force participation, employment and unemployment, and the gender wage gap). Chapter 5 examines gender gaps in the ownership and control of financial and nonfinancial assets (including land rights and ownership, gender gaps in financial inclusion, and women in entrepreneurship), and the legal and nonlegal barriers to women’s economic opportunities. Chapter 6 considers gender gaps in voice and agency,<sup>12</sup> with a focus on gender gaps in political representation and the extent of gender-based violence in Lesotho. Chapter 7 identifies areas for action to bridge priority gender gaps in Lesotho, identifying eight ways forward. The appendixes provide more information on a range of topics, including stakeholders consulted for this research, the methodology applied, benchmarking Lesotho’s progress in achieving gender equality, the impact of COVID-19, the Anti-GBV Coordination Forum, the economic opportunities domain, progress in addressing gender gaps in Lesotho, and potential areas of research to bridge knowledge gaps.

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<sup>10</sup> Lesotho’s *Voluntary National Review on the Implementation of the Agenda 2030 Report 2019* mentions significant gaps in the disaggregation of data needed to monitor the Sustainable Development Goals (Government of Lesotho 2019). See also Open Data Watch 2019. Kenya and Lesotho (54) produced the fewest gender indicators, and Lesotho also featured as one of the countries, along with Kenya, that has the lowest frequency of coverage of gender indicators. For instance, the Continuous Multipurpose Household Survey/Household Budget Survey (CMS/HBS) includes questions about credit but not collateral, and does not allow disaggregation beyond the household level. See also UN Women n.d.

<sup>11</sup> The recent assessment (June 2021) by the Partnership in Statistics for Development in the 21st Century (PARIS21) and the Lesotho Bureau of Statistics of the demand for and use of gender statistics by ministries, departments, and agencies provides a complete overview of all gender-relevant data gaps in Lesotho’s national statistics system (PARIS21 and Bureau of Statistics 2021).

<sup>12</sup> The World Bank Group Gender Strategy notes that women’s lack of agency drives persistent gender gaps in outcomes. Agency is defined in the strategy as the ability to make decisions about one’s own life and act on them to achieve desired outcomes. Women’s agency can be assessed by focusing on specific expressions of agency, such as freedom from gender-based violence, the ability to have voice and influence in society, and the ability to exercise control over when to marry, engage in sexual activity, and become pregnant (World Bank 2015).





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## 2. Overview: Cross-Cutting Issues and Law and Policy Environment

Patriarchal norms permeate all levels and areas of Basotho society, relegating women primarily to the household. These norms also affect both boys' and girls' education and their life aspirations. Consequently, women's capacity to participate in decision-making processes outside the household, their power in relationships, and their ability to participate economically are limited. In addition, the balance between customary and state law is unequal, and contradictions between the two legal frameworks often result in customary law taking primacy, with the application of customary laws generally more discriminatory against women.

## 2.1. Cross-Cutting Issues Relevant to Narrowing Gender Gaps in Lesotho<sup>13</sup>

One of the key drivers of gender inequality in Lesotho is the pervasiveness of patriarchal norms that manifest at both the professional and household levels, as well as across different geographic areas, age groups, and income levels. The prevalence of strong traditional beliefs that position men as the head of the household with rights devolving along the male line leads to asymmetrical power relations between men and women within Basotho society. The limited ability of women to participate in decision-making processes, the frequency and societal acceptance of violence against women, the limited power of women in relationships, and their consequent vulnerability to HIV/AIDS, are a reflection of societal belief systems and patriarchal norms that are deeply entrenched in Basotho society (Government of Lesotho 2019; UNDP 2015; Ministry of Health and Social Welfare and ICF Macro 2014). These practices impose high costs on the economy, with a recent Commonwealth report revealing that violence against women and girls costs Lesotho more than \$113 million a year, or roughly 6 percent of its gross domestic product (GDP) (Commonwealth Secretariat 2020).

The unequal responsibility for childcare and household care is another factor that constrains efforts to address gender inequality. In Lesotho, cultural norms link women with the home and their role as household managers, and these norms are instilled from a young age, when parents assign to girls household chores that are perceived as feminine (for example, childcare, cleaning, washing, fetching water, and care for family members), whereas boys are assigned chores that are perceived as masculine (for example, earning for the family, washing the car, or working in the fields) (Mosetse 2006). Data from the 2018 Multiple Indicator Cluster Survey found that women and girls were still more likely to be responsible for collecting water (71 percent women, 6 percent girls) than men and boys (20 percent men, 3 percent boys). The heavy responsibility women bear at the household level is a primary driver of women's lower labor force participation in Lesotho and is also a factor limiting their upward mobility (Bureau of Statistics 2019). On the other hand, these social norms place the responsibility of earning for the family on men, often drawing boys out of education to pursue (for example) herding activities in rural areas. At the same time, male migration to South Africa in search of work has meant that women are responsible for a double shift of labor—in the economy and in the home—further exacerbating the overall burden on their time.

Contradictions between customary and statutory law, with customary laws and practices often taking primacy, represents another key driver of gender inequality in Lesotho. Customary law is considered to apply to all Basotho if they have not legally denounced the customary way of life (Letuka et al. 1994; Bureau of Statistics 2016). Most Basotho women, especially in

<sup>13</sup> For more details on gender gaps by thematic area and overview of main drivers please see appendix G.

rural areas, are married under customary law, which accords them minority status and deprives them of several of the benefits of statutory legal reforms. For example, cultural practices in contravention of the Marriage Act of 1974 have led to one out of five girls in Lesotho being married before age 18 years, with the rates being higher among girls in rural areas and among those who are the poorest and have the lowest levels of schooling (Bureau of Statistics 2019). Thus, when it comes to changing patriarchal attitudes to and beliefs about gender in Lesotho, legal and policy reform are only part of the solution.

The issue of intersectionality, which recognizes that men and women are not homogeneous, deserves equal consideration. The national poverty rate in Lesotho is 49.7 percent, with a strong gender dimension—poverty levels are acute among female-headed households (64 percent), particularly those headed by single women (Bureau of Statistics and World Bank 2019). Widows and single women are doubly marginalized when it comes to women’s access to land because of the challenges with the interpretation of inheritance law and the contestation of their land claims by male relatives. Further, the fact that traditional leaders are part of the process of allocating land means that the equal rights of girls and women to own land often go unrecognized. (Leduka, Ntaote, and Takalimane 2018). Adolescent girls face unique challenges arising from their high rates of poverty and unemployment, creating social pressures that lead girls to engage in intergenerational sex or force them into early and unwanted marriages, which in turn contribute to high rates of teenage pregnancy, HIV/AIDS, and vulnerability to gender-based violence among young girls. Further, since 64 percent of households in rural areas of Lesotho are headed by women (Bureau of Statistics 2016), issues of gender inequality in Lesotho are intractably tied to rural dominance, where traditional governance practices, cultural beliefs, perceptions, and attitudes related to patriarchal norms are more pronounced.

Notwithstanding the challenges experienced by women, issues concerning men and boys are also important considerations in Lesotho. While the analysis and findings presented in the assessment point to greater gender inequalities for women and girls, the vulnerability and marginalization faced by boys and men, such as lower levels of literacy, high school dropout rates linked to initiation schools,<sup>14</sup> and social pressures to assume the lead role in securing sufficient livelihood for the family, also play a significant role in the gender landscape of Lesotho. These deeply entrenched patriarchal norms necessitate interventions to support changes in social norms related to masculinity and encourage men’s engagement in the promotion of gender equality to narrow the persisting gender gaps. Achieving these targets will require addressing male resistance, which can manifest itself in negative impacts for women, including higher rates of gender-based violence.

## 2.2. Law and Policy Environment<sup>15</sup>

Lesotho has embraced the advancement of women’s rights through the adoption of several laws and policy reforms, aligning itself with global and regional standards on gender equality. On the domestic front, reforms introduced over the last two decades, such as the Legal Capacity of Married Persons Act of 2006, the Land Act of 2010, the Local Government Elections (Amendment) Act of 2011, and the Children’s Protection and Welfare Act of 2011, have created the foundation for the institutionalization of equal rights for women and enhanced women’s

<sup>14</sup> Traditional initiation schools are run by traditional leaders. Starting in July every year, boys of a certain age usually spend three to four months in the mountains preparing to be circumcised. After returning, they rarely continue with their education, partly because they are culturally viewed as men, but also because they have to pay to attend initiation schools and are indebted to them, and thus leave school to find employment.

<sup>15</sup> For additional information on progress made in laws and policies and other areas please see appendix G



agency and voice in both the economic and political realms. However, barriers remain to the effective implementation of these laws and policies. Contradictions with customary law on critical aspects, such as the inheritance rights of girls and women and the legal marriageable age for girls, and gaps in legislation countering domestic violence, coupled with inadequate coordination, implementation, enforcement, and monitoring of laws, continue to limit the intended effects of an otherwise gender-progressive national law and policy framework.

Broadly, Lesotho operates a pluralistic legal system comprising customary law, common law, and statutory law, which at times contradict each other, especially in matters relating to women's issues (Mamashela 1991). Lesotho's Constitution of 1993 and the Bill of Rights of 1993 include an equality clause that stipulates that everyone is equal before the law. However, the progressive provisions for gender equality enshrined in the Constitution and embedded in the statutory laws often conflict with customary law, presenting a conundrum for women's rights. For example, the Laws of Lerotholi (customary law) are exempt from this nondiscriminatory clause in the Constitution. Similarly, chapter II of the Constitution, on gender equality and nondiscrimination, allow for differentiations in section 18(4)(c) on the basis of culture.

Efforts to address the underlying causes of gender inequality are ongoing, albeit with challenges. The second National Strategic Development Plan (NSDP II, 2018–2023) recognizes that maintaining momentum on gender equality and achieving inclusive development requires tackling the underlying challenges emanating from social norms and practices as well as the legal barriers that hinder equal participation of men and women in public life. For instance, the plan sets out strategic targets for women's participation in government programs across all sectors, and emphasizes building the leadership skills of women and girls. Similarly, the Gender and Development Policy, 2018–2030, provides the overarching framework and guidelines for institutionalizing gender equality, with clear commitments across ministries and levels of government. A few pending legal reforms<sup>16</sup> are considered a priority based on the assessment findings, including the following.

- *Counter Domestic Violence Bill, 2021*. The bill had been tabled in April 2021 by the Minister of Gender, Youth, Sports and Recreation. The bill defines domestic violence as “an act or behavior which inflicts pain and injury on another person physically, sexually, emotionally, verbally, psychologically and economically”. It seeks to abolish practices such as forced marriages, the practice of marrying off widows to brothers of their deceased husbands and the practice of marrying off men to their infertile wives' sisters. If enacted, it will also criminalize incest.
- *Reforms to inheritance law instituted in 2021*. Despite legal provisions that ensure gender equality, the application of customary law and the interpretation of land claims by traditional leaders continue to disadvantage women (see section 5.1 for more details). Amongst other aims, this legal reform seeks to address challenges in the application of the Land Act of 2010, to ensure that women cannot be prevented from inheriting or owning land because of customary law. At present, legal dualism has resulted in a lack of clarity on the inheritance of property, a lack of clear administrative processes, inconsistent court decisions with regard to inheritance disputes, and complexities related to the remarriage of widows, among other issues. There is however no clear timeline on when this can be expected in the form of a bill.

<sup>16</sup> This is not an exhaustive list and highlights legal reforms that are considered a priority based on the assessment findings. In the case of the reforms to the inheritance law, consultations revealed that the draft will be shared with stakeholders for review, including the World Bank team, and subsequently rewritten and submitted to the law drafting team. There is no clear timeline on when it may be converted into a bill.

## Box 2.1 Legal and Policy Provisions to Enhance Women's Economic Rights

- *Legal Capacity of Married Persons Act, 2006*, gives married women equal legal status, rights, and duties, and mandates couples to consult one another in all matrimonial matters, including property of joint estate.
  - *Companies (Amendment) Act No. 7, 2008*, grants women company ownership and directorship rights without the consent of the husband.
  - *Land Act, 2010*, guarantees all persons above age 18, irrespective of gender, the right to hold title to land.
  - *Public Service Regulations, 1969*, guarantees paid maternity leave to permanently employed women, but those temporarily employed are excluded.
  - *Labour Code, 1992*, provides for maternity leave in the public and private sectors, ranging between 6 and 12 weeks depending on the sector of employment. In the public service, women employed on a permanent basis are eligible for paid maternity leave of 12 weeks or 90 days. However, there are no provisions for maternity leave for women employed on a temporary basis or for paternity leave for men. With reference to women employed within the private sector, the payment of maternity varies over different sectors.
  - *National Inclusive Finance Strategy, 2017–2021*, includes two specific targets for women: increase percentage of women (age 18 and above) with access to at least one formal financial product from 61 percent to 85 percent by 2021, and with at least two or more formal financial products from 61 percent to 67 percent by 2021.
- 
- *Children's Protection and Welfare Act, 2011*. Reforms are ongoing to amend the act to include a provision that a child, regardless of gender, cannot be married below age 18 years. There is no clear timeline on when the proposed amendments will be adopted, if at all.
  - *Chieftainship Act, 1968*. This act gives the exclusive right to inherit the customary title of chief to the firstborn male offspring, denying female children the same rights on the basis of gender. Previous attempts to amend the law, including in court, have failed.
  - *Laws of Lerotholi (Amendment) Bill, 2022*. An Act to amend the Laws of Lerotholi, 1907 to make provision for the enhancement of the economic status of women to enable them to fully exercise their economic and property rights under customary law in line with the provisions of the Legal Capacity of Married Persons Act, 2006. The Bill proposes that a widow, in her own right, be able to administer her property without consent or in consultation with the first male born child or the deceased brothers or any other male subject in the family. It will also allow a widow to inherit all unallocated property upon death of her husband and allow her to dispose the same as she wishes, but in line with the best interest of the children in that house, without consulting the in-laws.
  - *Reforms toward regulating initiation schools for boys*. Efforts initiated in 2017 by the Ministry of Tourism, Environment, and Culture to regulate initiation schools have stalled. The objective of the proposed reform is to limit initiation school to boys aged 18 years and above, and to introduce a training and qualification program for the teachers at these schools.

The government of Lesotho has enacted several laws and policies aimed at protecting women's economic rights and improving their access to productive resources (box 2.1). These laws have had a positive impact on challenging the gender status quo by abolishing the minority status of women, enabling their ownership and control of land and property, improving access to credit, and enhancing their role in companies and enterprises. However, an interplay of

### Box 2.2 Current Laws and Regulations Relating to Gender-Based Violence

- *Sexual Offences Act*, 2003, protects sexual and reproductive rights, criminalizes marital rape, and imposes penalties on people who perpetrate rape with known HIV-positive status. It does not address any other forms of gender-based violence.
- *Penal Code*, 2010, regulates assault cases and criminalizes marital rape and all forms of violence, including sex work. It has been used to file domestic violence claims in courts but is considered weak legislation by gender activists in Lesotho.
- *Anti-Trafficking in Person's Act, No. 1*, 2011, prohibits all forms of exploitative human trafficking in persons, including women and girls.
- *Children's Protection and Welfare Act*, 2011, protects children and girls from all forms of exploitation, violence, and sexual abuse. It states that a child is a person below age 18 years.
- *Marriage Act*, 1974, prescribes the age of entering a valid marriage to be 21 years. However, the law makes exceptions, allowing a boy of 18 years or a girl of 16 years to enter a valid marriage with either parental or a guardian's consent.

several factors has reduced the effectiveness of these laws and policies, including the capacity of the government of Lesotho to support implementation, contradictions in the law, and deep-rooted social norms that espouse discrimination.<sup>17</sup>

With regard to voice and agency, Lesotho has introduced bold policy measures to encourage greater inclusion of women at the level of parliament and local government. However, the results have been mixed. At the level of parliament, the National Assembly Election (Amendment) Act of 2011 introduced a 50/50 quota or “zebra” system for women and men in the political party listing for proportional representation seats in the parliament. Likewise, at the local government level, the Local Government Elections (Amendment) Act of 2011<sup>18</sup> required that 30 percent of all single-member electoral divisions be reserved for female councillors.<sup>19</sup> As will be discussed in more detail in chapter 6 of this report on gender gaps in voice and agency, the results have been mixed. Specifically, two key barriers have been (a) the absence of a law or policy mandating gender quotas for political parties themselves; and (b) the inability of women to enjoy full rights to leadership in the traditional chieftaincy system, which in turn supports the continuation of customary practices that enable unequal power relations (Lesotho Library of Congress 2013).

Lesotho does not have a stand-alone law or policy on gender-based violence; instead, provisions concerning gender-based violence are regulated through a variety of policy and regulatory mechanisms (box 2.2). These policy and legal provisions together cover a range of issues related to gender-based violence, including sexual and reproductive rights, marital rape, domestic violence, trafficking, exploitation, violence, and the sexual abuse of minors. However, the absence of conformity in certain key aspects, especially contradictions in the age of minors<sup>20</sup> and consent across these legal documents, is an indication of weaknesses in the current framework that limits its effectiveness. For instance, the loopholes in the law make it challenging to curtail the increasing incidence of child marriage in Lesotho, particularly since

<sup>17</sup> These barriers, including the contradictions in customary law that limit the implementation of the Land Act of 2010 and the Legal Capacity of Married Persons Act, the legal barriers that disincentivize women's work and progression in the labor force, and the challenges in enhancing women's ownership and control of financial and nonfinancial assets, will be discussed in chapter 5 of this report.

<sup>18</sup> Section 26(1).

<sup>19</sup> Women still competed with other women in these electoral divisions, but men could not compete for these seats.

<sup>20</sup> To give an example, the Sexual Offences Act (2003) states that sexual relationships are permissible at age 16 years, the Children's Protection and Welfare Act (2011) defines a child as someone under the age of 18 years, and the Marriage Act (1974, sections 25 and 27) sets the minimum age at 18 for boys and 16 for girls, but allows earlier marriage with the consent of parents and a minister. Meanwhile, customary law has no minimum age.



the onset of the COVID-19 pandemic. At present, there are no specific regulations on domestic violence in Lesotho, though the Counter Domestic Violence Bill 2021 which was recently approved in March 2022, is expected to address this issue.

To summarize, in principle, the passing of various pieces of legislation may have improved the rights of women on paper, but limited progress has been made in translating these commitments into positive outcomes in the daily lives of women and girls (FAO 2016). This is partially connected to the limited progress the government of Lesotho has made in moving from commitment to implementation. The absence of clear lines for budgeting and accountability across various ministries charged with responsibility for mainstreaming gender, combined with weak capacity, awareness, and coordination across all government ministries, compounds the challenges associated with mainstreaming gender concerns. The Ministry of Gender, Youth, Sports, and Recreation has been given the mandate to facilitate coordination across ministries, but as is the case in many other countries, the ministry operates with very limited technical and financial resources. In fact, despite commitments to international conventions and action plans for gender equality, less than 1 percent of the national budget has been allocated to this ministry over the past five years (Government of Lesotho 2019).

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### 3. Gender Gaps in Human Endowments

This chapter considers gender gaps in health and education. In terms of health, it focuses on maternal mortality, fertility rates, adolescent fertility, and HIV/AIDS. In terms of education, it considers gaps in literacy, enrollment, school dropout, and women's representation in science, technology, engineering, and mathematics (STEM).<sup>21</sup>

### 3.1. Gender Gaps in Health

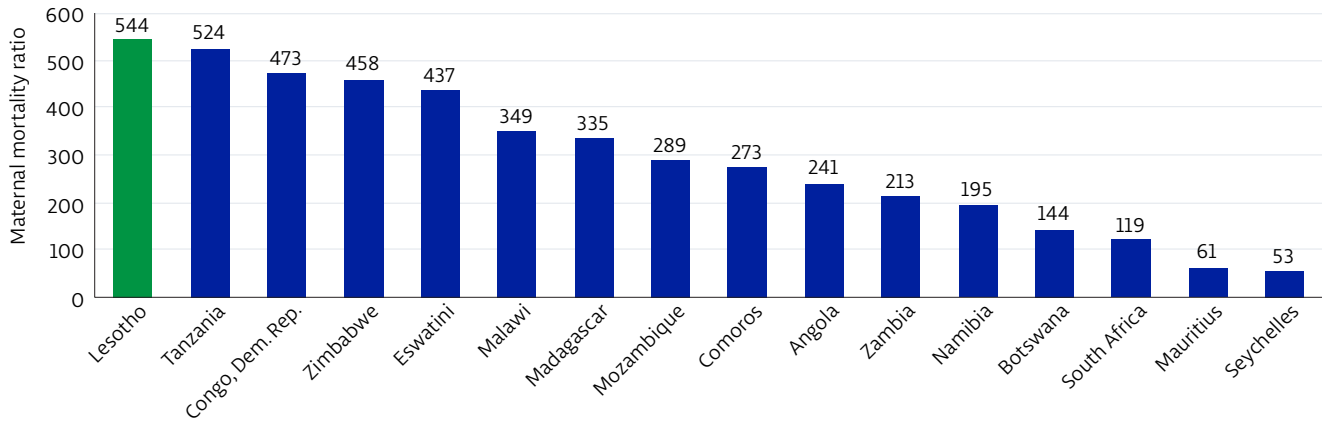
In Lesotho, gender gaps in health are relatively narrow, with low levels of health outcomes for both men and women being the major concern. Life expectancy is 42.3 years for men and 46.4 years for women, indicating that while the gender gap favors women, the life expectancy ratios are at a very low level for both sexes (World Economic Forum 2021). In fact, Lesotho's life expectancy is lower than the average for Eastern and Southern Africa for both males and females—a trend that has persisted since 1999 (World Bank 2021). Since 2004, rates of stunting have continued to be higher among male children under age 5 than female children under age 5; as of 2018, 36.6 percent of boys compared to 32.7 percent of girls were stunted (World Bank 2021). This is a trend common in Sub-Saharan Africa and elsewhere, which has been partly attributed to higher morbidity amongst male neonates and infants in general, with impacts on weight and stunting (Wamani et al. 2007; Thurstans et al. 2020).

In relation to women's health, the maternal mortality ratio is still one of the highest in the world, with Lesotho ranking 170th out of 185 countries (UNICEF 2019). With the opening of the Queen Mamohato Hospital in 2015 and improvements in delivery care, the maternal mortality ratio (per 100,000 live births) declined from 679 in 2005 to 544 in 2017 (World Bank 2021), but the rate is still above the average of 534 for Sub-Saharan Africa, and is the highest in the SADC region (figure 3.1) (WHO 2017). According to a 2021 review of maternal deaths between 2011 and 2015, the majority of women who had died during pregnancy and childbirth had fully attended antenatal care; however, suboptimal care was among the key factors that contributed to maternal deaths (60.5 percent), indicating that the majority of maternal deaths were avoidable (UNFPA 2021; Countdown 2030 2018). Challenges in accessing maternal health include mountainous terrain, limited transportation infrastructure, and a largely rural population, which makes accessing health facilities more difficult (Hills 2020).

The adolescent fertility rate in Lesotho is lower than the regional average, but the increasing rate is a cause for concern. Lesotho's adolescent fertility rate is in the mid range for SADC countries (figure 3.2), whereas its total fertility rate is in the lower range (figure 3.3). However, these trends have been increasing—teenage pregnancy rates increased from 88.16 per 100,000 in 2010 to 93 per 100,000 in 2017, with most girls having their first child between ages 18 and 20 (figure 3.4). A key driver of this trend is the pressure of poverty and food insecurity, especially in rural areas, which push many young women into early or forced marriage or intergenerational relationships. Even within Lesotho, the adolescent fertility rates are considerably higher among the poorest girls (25 percent), girls with primary or no education (32 percent), and girls who live in the foothills (37 percent). The health and socioeconomic consequences of teenage pregnancy and motherhood are both short term and long term. Generally, teenage pregnancies are high-risk pregnancies that are more likely to lead to delivery complications, premature births and neonatal

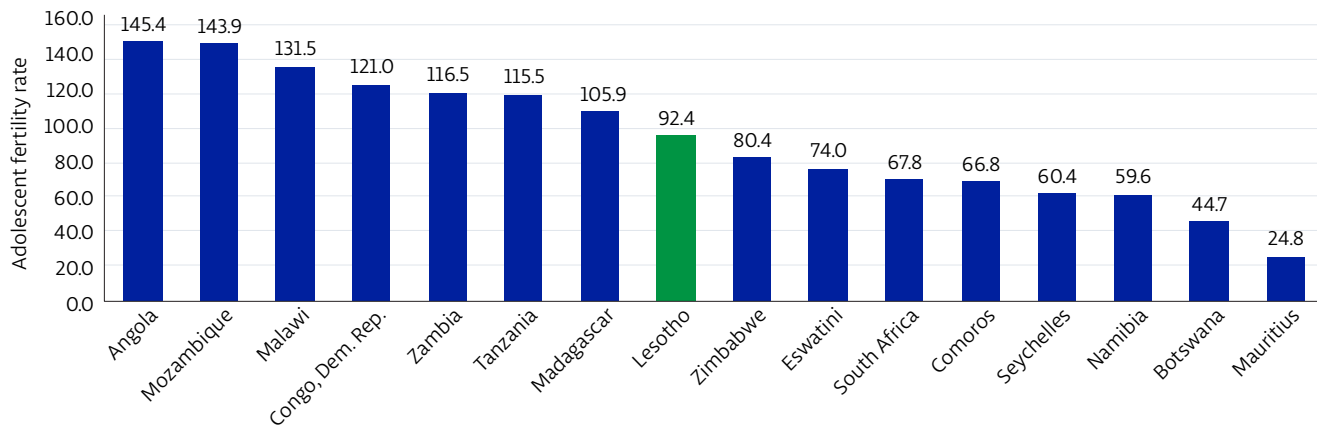
<sup>21</sup> This report reflects data that were available by April 13, 2021.

**Figure 3.1: SADC: Maternal Mortality Ratio (Modeled Estimate per 100,000 Live Births), 2017**



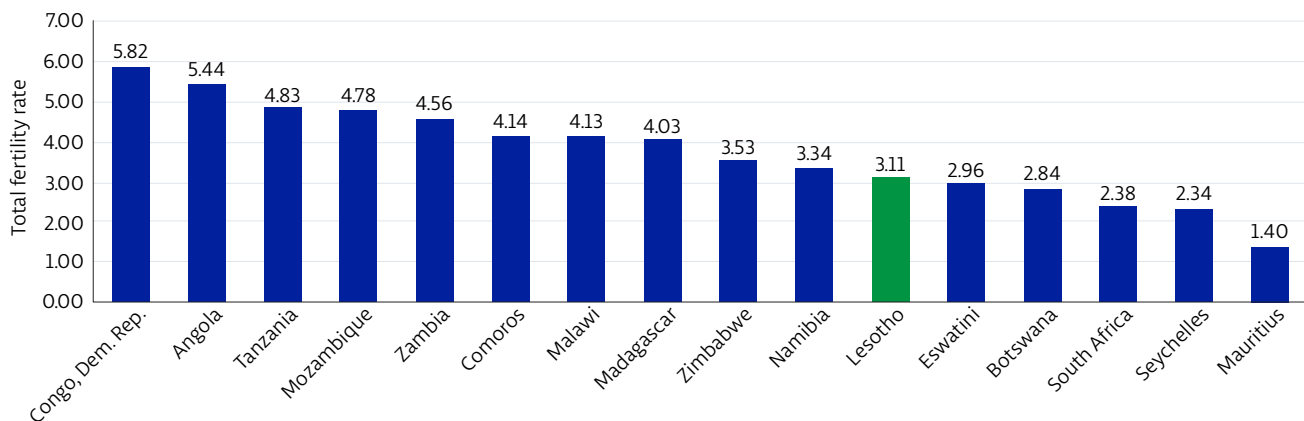
Source: World Bank 2021.

**Figure 3.2: SADC: Adolescent Fertility Rate (Births per 1,000 Women Ages 15-19), 2019**



Source: World Bank 2021.

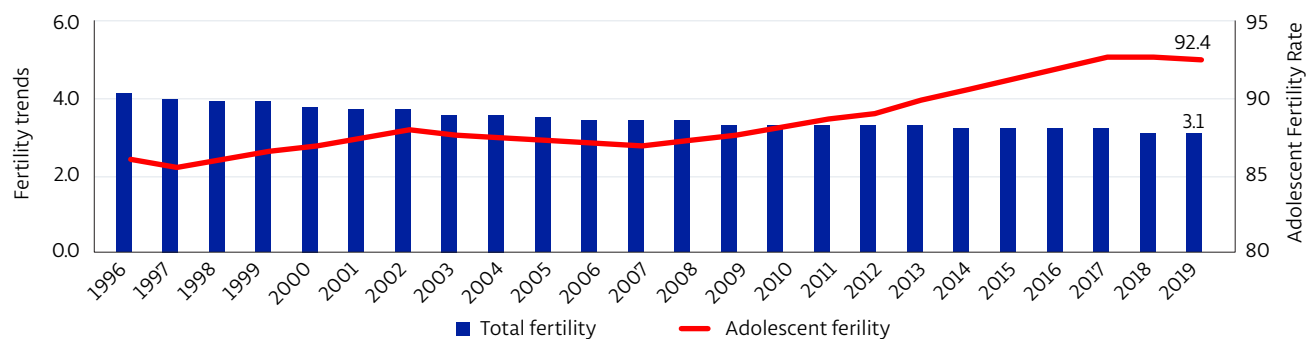
**Figure 3.3: SADC: Total Fertility Rate (Births per Woman), 2019**



Source: World Bank 2021.

complications, maternal mortality risks, and low birth weight, which increases the risk for child stunting (Posarac et al. 2021). In addition, as will be highlighted in section 3.2, teenage pregnancy is linked to school dropout for girls, affecting educational and employment outcomes.



**Figure 3.4: Fertility Trends in Lesotho, 1995–2019**

Source: World Bank 2021.

HIV infections have declined in Lesotho, but young women continue to have a high prevalence rate. Women in Lesotho comprise 58.6 percent of HIV-positive people, and the prevalence for girls aged 15–24 years is more than double that of young men (UNAIDS 2018). Economic shocks and associated coping strategies, especially in the form of transactional sex and intergenerational relationships, combined with social norms and traditional roles that discourage women from talking openly with men about contraception, increase vulnerability to HIV infection for women (Nyqvist et al. 2018). In recent years, Lesotho has however advanced in preventing mother-to-child HIV transmission and increasing the proportion of HIV-positive women accessing treatment. For example, in 2018, 77 percent of pregnant women accessed antiretroviral medication to prevent mother-to-child transmission, and diagnosis of HIV in infants increased to almost 70 percent (UNAIDS 2018).

### Box 3.1 COVID-19 and Impacts on Gender Gaps in Health Outcomes

As the COVID-19 crisis has disrupted health systems and services, sexual and reproductive health has been particularly exposed (UNFPA 2020) in all countries in SADC, including Lesotho. Family planning and contraception has been amongst the most disrupted services (68 percent of indicators used to monitor disruptions, versus 50 percent on average). Lessons from previous health crises show that outbreaks worsen the situation regarding teenage pregnancy, HIV infection, and maternal mortality (IRC 2020; RCCE 2020; Fraser 2020).

## 3.2. Gender Gaps in Education

Gender gaps in the education sector in Lesotho are more favorable toward women and girls, with men and boys falling behind, primarily due to high dropout rates for boys after primary school (Government of Lesotho 2018; Ministry of Education and Training 2020).<sup>22</sup> Gross enrollment ratio<sup>23</sup> of boys to girls shows a greater presence of girls at all levels. While many children in Lesotho enroll for primary school late (that is, after the age at which they should have started), female enrollments at primary and secondary school level have exceeded those of males for the past decade (figures 3.5 and 3.6) (World Bank 2021). Likewise, at the tertiary level, overall school enrollment is low, with around 1 in 10 Basotho students enrolling at this level; but again, gross female enrollment (12.4 percent) exceeds male enrollment (8.0 percent) (World Bank 2021). Women also comprise almost 58 percent of technical and vocational education and training (TVET) students in Lesotho (Government of Lesotho 2018).<sup>24</sup> Notably, girls' overrepresentation at the secondary and tertiary levels and in TVET is partly driven by high dropout rates for boys after primary school. The 2020 *Education Sector Analysis* finds that only two thirds of boys from rural areas complete primary school (compared to 94 percent for rural girls), and only 12 percent reach the last two years of secondary school (versus 22 percent of girls) (Ministry of Education and Training 2020). Moreover, at the lower secondary level, the completion rate for girls is much higher, at 58.5 percent versus 41.4 percent for boys. Overall, the lower secondary completion rate in Lesotho is only 50 percent.<sup>25</sup>

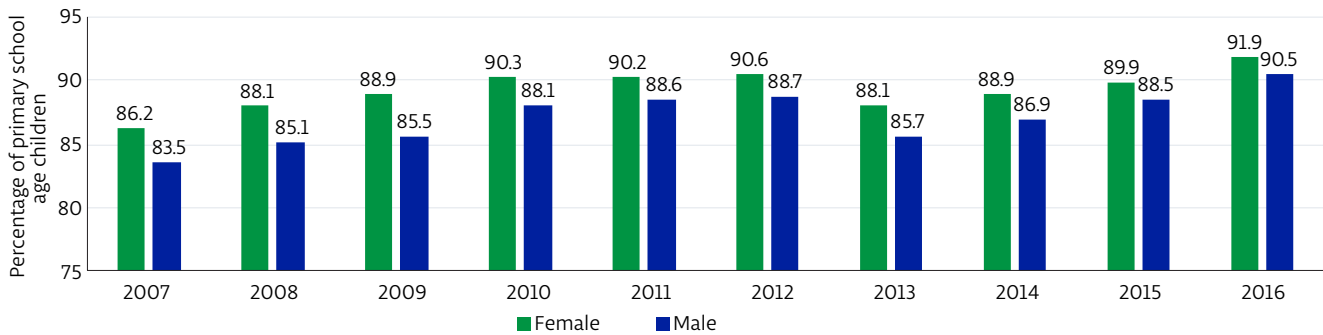
<sup>22</sup> In general, school dropout rates are high in Lesotho and tend to increase after primary school, especially in rural areas. According to the 2016 census, almost 40 percent of the total sample failed to complete primary education.

<sup>23</sup> Defined as the total enrollment in a country in a level of education, regardless of age, shown as a percentage of the population in that age group corresponding to that level of education.

<sup>24</sup> As of January 2021, no updated data were available from the Ministry of Education and Training.

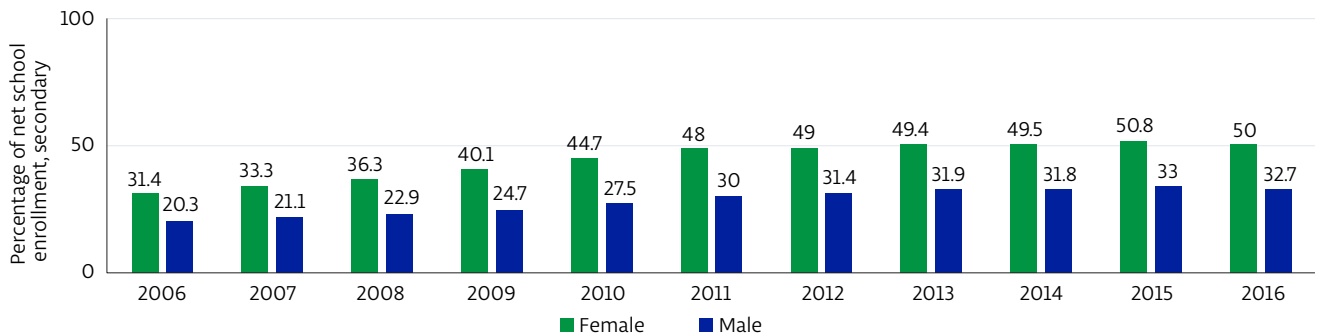
<sup>25</sup> <https://data.worldbank.org/indicator/SE.SEC.CMPT.LO.ZS>.

**Figure 3.5: Adjusted Net Enrollment Rate, Primary School Level (% of Primary School Age Children)**



Source: World Bank 2021.

**Figure 3.6: School Enrollment, Secondary (% Net)**



Source: World Bank 2021.

Dropout rates are influenced by household wealth, poverty, and the cost of schooling, and are further compounded by differential social norms affecting boys and girls. In Lesotho, a child in the richest 20 percent of households who starts school at age 6 years can expect to complete 11.2 years of school by their 18th birthday, while a child from the poorest 20 percent can expect to complete only 9.5 years of school. While this gap of 1.7 years of school is smaller than the typical gap across 50 African countries (2.4 years), only 14 percent of children from the poorest households complete secondary education compared to 53 percent of children from the richest (Posarac et al. 2021). Notably, even within the same wealth quintile, the reasons for dropping out are different for boys and girls. Boys, especially in rural areas, are often under pressure to leave school in order to support their family’s livelihood, primarily as herders<sup>26</sup> or small farmers. A 2018 study of herdboys in five districts<sup>27</sup> reported that 78 percent had dropped out of primary school (UNFPA and Help Lesotho 2018).<sup>28</sup> Such is the compulsion to provide for the family that an impact evaluation from 2016 shows that even cash transfers via the Lesotho Child Grants Program do not offset the opportunity cost of boys’ herding (Sebastian et al. 2016).

Customary practices around rites of passage may also box boys into subsistence livelihoods and reinforce harmful gender norms. While at one point in time male initiation schools were in decline, they have become increasingly popular in recent years. They generally take place in the mountains, over a period of 3–4 months, culminating in circumcision. Given the increasing

26 Herding has a long and respected history in Lesotho, especially in the rural highlands, and is often looked upon as part of the transition to manhood and the role of household provider. However, in many cases, herdboys are tracked into a path that involves foregoing formal schooling and cuts them off from other paths of economic advancement, as well as being socially isolating (Fiil- Flynn 2015; Lefoka 2007; Mokhosi et al. 1999).

27 Beresi, Ha Phaila, Moqekela, Ha Mokoto, and Mohlanapeng in the Thaba Tseka.

28 Help Lesotho is currently collecting data for the 2019/2020 academic year; the data presented are the most up to date.

popularity of initiation schools, and worsening education and health outcomes for many rural boys, there is concern that attendance at these schools may be at odds with the development of skills and education needed for socioeconomic mobility. Because attendance is required over a relatively long period, boys often miss a substantial part of the school year (Fiil-Flynn 2015). While the Free and Compulsory Primary Education Act of 2010 requires that schools allow them to reenter, they often need to repeat a grade and risk falling further behind. Consultations for this report suggest that many boys leave formal school shortly after attending initiation school due to the stigma of repeating grades, coupled with pressure to pay back loans acquired for the initiation school.<sup>29</sup>

There is currently no state regulation of initiation schools, nor any consistent traditional oversight mechanisms at the community level. Among other concerns, this means little or no oversight of health practices, especially circumcision. The precise activities that take place at initiation schools are also highly secretive and it is taboo to discuss them with the uninitiated. Nor is there formal regulation of the fees initiation schools can charge, with some schools charging just 100 maloti (US\$14) and others up to 500 maloti (US\$ 71) (IRIN 2011). If graduates cannot pay their fees, schools may employ them for a year or more afterwards, herding animals in the area, until they pay their debts.

Other challenges relate to competing time commitments with other formal and nonformal education opportunities. While some schools have negotiated with community leaders to ensure that initiation takes place after primary graduation (7th grade) or during the long summer or December break, most initiation schools do not accommodate the schedules of formal schools. Furthermore, entrance to initiation school may not be available every year, which means that those that are planning to attend may decide to go earlier to avoid waiting one to two years to participate. Since there are no age criteria for attending the school, young boys may attend earlier than is appropriate (Fiil-Flynn 2015). Additionally, the curricula used by the initiation schools seem to vary, and some have alleged that the teachings promote harmful gender norms. Some negative behaviors associated with herd-boys, such as high rates of school dropout and gender-based violence, have also been associated with initiation schools, which (mostly male) youths attend, particularly in rural areas (UNDP 2015).

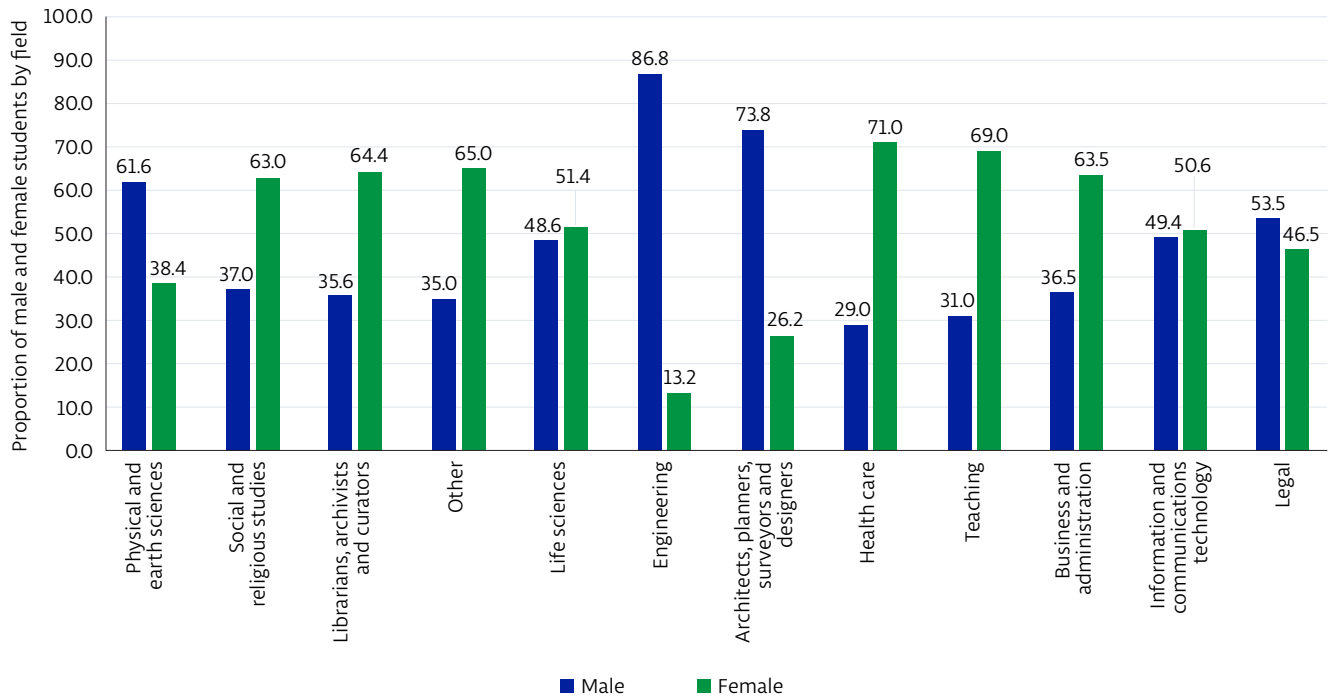
In response to these concerns, as set out in section 2.2, the Ministry of Tourism, Environment and Culture, backed by the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), introduced The Initiation School Bill of 2017. The bill aims to tackle several challenges that have been linked to initiation schools, including school dropout, child marriage, gender-based violence, and HIV infection. The objective is to introduce a minimum age of 18 years to attend the school and to introduce a training and qualification program for the teachers of these schools to address some of the questions being raised on the curricula and negative behaviors being imparted at the schools (The Post Newspaper 2018).<sup>30</sup> The question of how such legislation can be enforced on the ground remains open.

With regard to girls, high rates of poverty, patriarchal gender norms, and the cost of schooling are key drivers pushing many rural girls into early marriage or intergenerational relationships, often at the cost of finishing school.<sup>31</sup> This brings risks of early pregnancy and HIV infection, both of which truncate educational trajectories. Consultations conducted for this gender

29 Consultations with United Nations Youth Advisory Panel, April 14, 2020.

30 Consultations with Government Agencies, Civil Society, and Nongovernment Organizations (October 2019 to February 2020)

31 Technical consultations with the Ministry of Education and Training, United Nations agencies, and academic experts on gender, October 2019 and April 7–9, 2020.

**Figure 3.7: Proportion of Male and Female Students by Field of Specialization, 2016 (%)**

Source: 2016 census, authors' calculations.

assessment suggest that the stigma related to either of these conditions often leads families to keep girls from completing their education.

Legislative changes have made education more accessible but have not been successful in improving retention rates. The Free and Compulsory Primary Education Act of 2010 has made primary education more affordable to all children, significantly increasing enrollment of the primary school age population and improving male enrollment (figure 3.5 above). However, the legislation has not been effective in keeping children in school. School progression between primary and secondary school remains low, particularly for boys (figure 3.6 above) (Moshoeshoe, Ardington, and Piraino 2019). After leaving primary school, interest for continued education appears to diminish.<sup>32</sup>

Pregnant girls are often excluded from continuing their education. Consultations suggested that schools often expel girls for becoming pregnant, a practice more common among private religious schools (UNESCO 2019). The government of Lesotho has sought to address this issue with the enactment of the Free and Compulsory Primary Education Act of 2010, which requires that pregnant girls be readmitted after delivery. However, in the absence of an enabling environment for re-entry, the extent to which there has been a qualitative change in readmission protocols is not known. Reentry is also extremely difficult for girls on account of factors such as poverty, stigma and discrimination, and limited support (Gender Links 2020). For instance, the National University of Lesotho has a policy on retention of pregnant students and their readmission after giving birth. However, these students are discriminated against by another policy stipulation that requires them to leave university residence when seven months pregnant. Also, there is no policy provision on childcare to support mothers to continue with their education (Mapetla and Ralebitso 2015).

<sup>32</sup> For more details on drivers of school dropout, see appendix G.



### Box 3.2 Impact of COVID-19 on Education

The long-term gender impact of the pandemic may affect access to education for boys and girls and increase the risk of child marriage. As schools were closed as part of the COVID-19 lockdown, women, boys, and girls were particularly impacted. With only 22 percent of learners able to keep online contact with their teachers, evidence shows that many children ended up dropping out of school. This in turn impacted mothers, hurting women's access to formal paid jobs. The impact on the prospects of both girls and boys staying in school for learning outcomes and examinations is expected to have consequences for future dropout rates too. Overall, girls were found to be more impacted by school closures (UN Women and UNFPA 2021), but this may rather be a consequence of higher girls' attendance in the first place and the high dropout rates of boys, which predates the pandemic.

With regard to government efforts, in November 2020, the Ministry of Social Development found that 4,000 students in forms C and E did not return to school when on-site education resumed after the lockdown. It also found that approximately 15 percent and 12 percent of students who were supposed to sit for the Junior Certificate and Lesotho General Certificate of Secondary Education examinations, respectively, had dropped out. Some owed examination fees, others owed school fees thus indicating that the cost of schooling is one of the drivers of dropout in Lesotho, the impact of which was exacerbated by the pandemic. The ministry committed to paying fees for all form C and E students who had dropped out if they returned (Africa Press 2021). Another key driver of school dropout affecting girl students—pregnancy—will require a different approach, and is discussed in chapter 7 of the assessment.

Gender gaps are pervasive in STEM subjects and have been widening. Though girls outperform boys at all levels of education, males however predominate in STEM fields, making up approximately 62 percent of those in physical and earth sciences and 87 percent of those in engineering, while women tend to cluster in fields of study that lead to careers that are low paid, such as social and religious studies (63 percent), health care (71 percent), and teaching (69 percent) (figure 3.7) (Bureau of Statistics 2016). Additionally, not only is girls' and women's representation in technical and STEM subjects disproportionately low, it is also decreasing—in 2012, women accounted for 30 percent of STEM graduates at the tertiary level, but that dropped to 23 percent in 2018 (UNESCO 2015). With no national studies or regular monitoring, it is difficult to assess the drivers of women's limited representation in technical and STEM fields.<sup>33</sup> Consultations suggest that several factors are at play, including social biases that assume males have greater aptitude in mathematics and science, and perceptions that investing in young girls does not have the same payoff as educating boys, given the heavier care burdens girls are expected to eventually take on, which presumably would prevent them from pursuing careers in technical, high-skilled fields.

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33 The Lesotho government does not track this issue regularly; available data come from sporadic surveys. Currently, the Lesotho Council of Higher Education is collecting data (including in this area) for the 2019/2020 academic year. Hence, data are not only unavailable but also delayed in informing research and policy in this area.

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## 4. Gender Gaps in Economic Opportunities

As discussed in chapter 3 on human endowments, women in Lesotho tend to have better education and health outcomes compared to men, but this has not translated into improved economic opportunities for women. As a result, in 2021, Lesotho ranked 98th out of 156 countries for economic participation and opportunity in the World Economic Forum Global Gender Gap Index—a significant drop in its ranking from 84th out of 153 countries in 2020. This chapter addresses gender gaps in labor market outcomes and in ownership and control of financial and nonfinancial assets, including gender gaps in land rights and ownership and access to finance.<sup>34</sup>

## 4.1. Gender Gaps in Labor Market Outcomes

The labor force participation rate for males in Lesotho is higher than for females across all age groups. The overall labor force participation rate in Lesotho is 49.9 percent, and is higher among males (55.0 percent) than females (45.3 percent) (Bureau of Statistics 2021). Even within the SADC countries, Lesotho fares poorly compared to other countries—it has the fourth lowest female to male labor force participation ratio and the fifth lowest female labor force participation in SADC (World Bank 2021a). Gender-disaggregated data, which would have allowed for an analysis of how gender intersects with factors such as wealth, income, and location to influence labor market outcomes, are not available. However, the differences in terms of high labor force participation rate in urban areas (62.9 percent) compared to the low rates in rural areas (41.5 percent), and the high unemployment rates in rural areas (27.9 percent) compared to urban areas (16.5 percent), are suggestive of the possible low labor force participation of rural women (Bureau of Statistics 2021).

Despite women’s better educational outcomes, national-level data suggest continued gender gaps in terms of youth labor force participation. The labor force participation rate is higher for male youths (52.3 percent) than female youths (43.8 percent). Figure 4.1 shows the labor force participation rate by age group and sex in 2019 (Bureau of Statistics 2021). Further, the labor force participation rate for youths who are educated to some level is markedly higher than for those without any education, and the gender gap is particularly wide among those with primary education compared to those with secondary school qualification. For instance, Basotho youths (age 15–35 years) who had received a primary school education (42.8 percent of males and 27.9 percent of females) or secondary school education (21.2 percent of males and 29.7 percent of females) make up the bulk of youths who are employed. On the contrary, of employed youths, only 0.6 percent (males) and 0.1 percent (females) had no education at all (Bureau of Statistics 2021).<sup>35</sup>

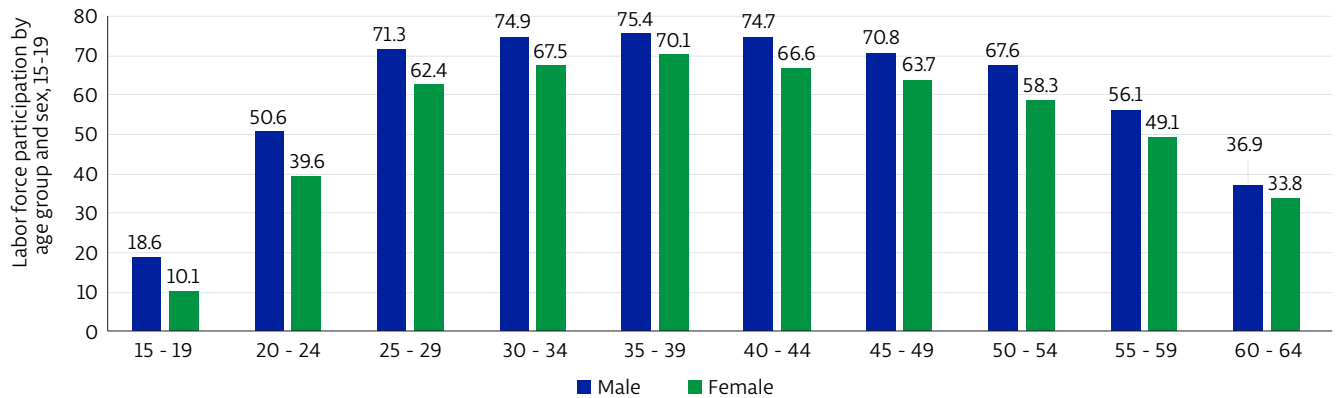
Gender gaps between men and women are notable in terms of their employment status, the sectors or fields in which they work, and the types of roles or positions they hold in those sectors. More than half of those employed in the formal sector are women (figure 4.2), but men make up a larger proportion of employers compared to women (4.5 percent compared to 2.9 percent female employers) (figure 4.3) (Bureau of Statistics 2021). For both men and women, those with lower levels of education are more likely to be in the informal sector, whereas those with higher levels are more likely to be in the formal sector. Further, while there do not appear to be any significant gender gaps in unemployment for the working age population, the “not in employment, education, or training” rate for females is higher than for

<sup>34</sup> Definitions of key terms used in the chapter can be found in the associated footnotes.

<sup>35</sup> Data on labor force participation rate by education level were not included in the most recent Labor Force Survey. However, the survey included data on the proportion of youths specifically employed by education level, which is reflected in this chapter.

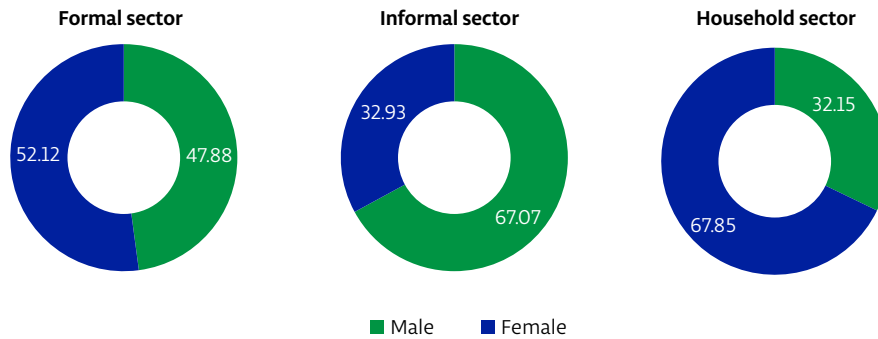


**Figure 4.1: Labor Force Participation Rate by Age Group and Sex (Working Age Population 15–64), 2019 (%)**



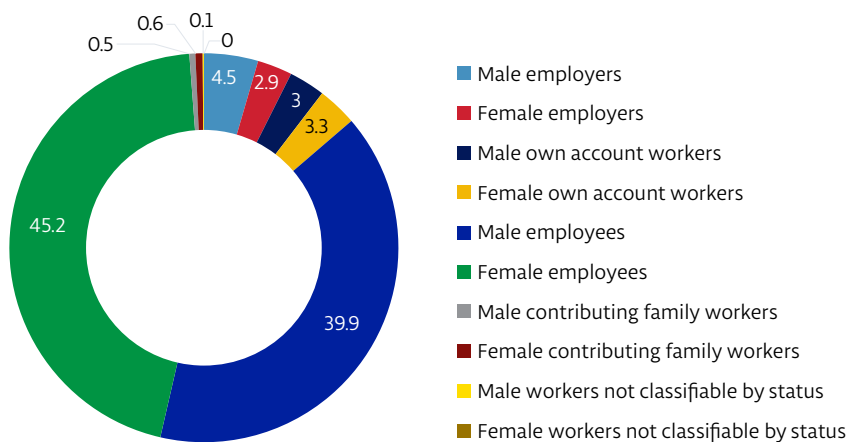
Source: Bureau of Statistics 2021.

**Figure 4.2: Distribution of the Employed Population by Sector and Sex, 2019 (%)**



Source: Bureau of Statistics 2021.

**Figure 4.3: Distribution of the Employed in the Formal Sector by Employment Status and Sex, 2019 (%)**

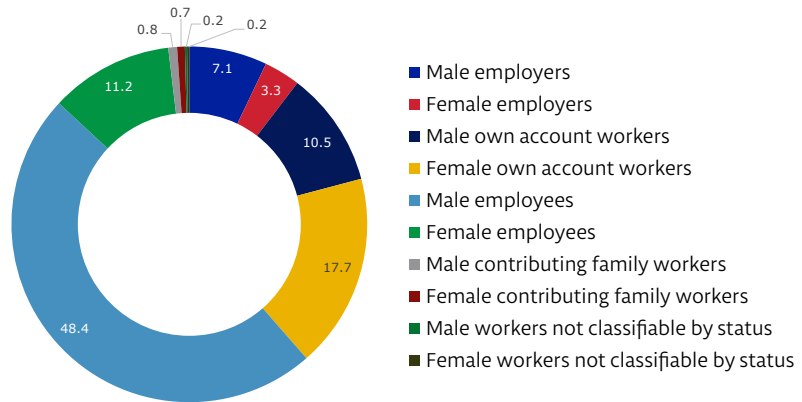


Source: Bureau of Statistics 2021.

males. Specifically, the official unemployment rate is 22.4 percent for females and 22.6 percent for males (Bureau of Statistics 2021). However, 6 out of 10 (63.5 percent) of youths who were not in employment, education, or training were female.<sup>36</sup>

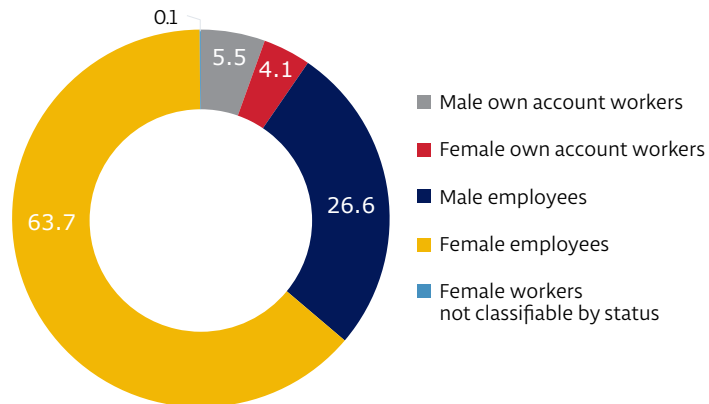
<sup>36</sup> Appendix F contains the latest data from 2019 on the distribution of the employed by education level, formality, district, and sex, and on gender gaps in “not in employment, education, or training” rates.

**Figure 4.4: Distribution of the Employed in the Informal Sector by Employment Status and Sex, 2019 (%)**



Source: Bureau of Statistics 2021.

**Figure 4.5: Distribution of the Employed in the Household Sector by Employment Status and Sex, 2019 (%)**



Source: Bureau of Statistics 2021.

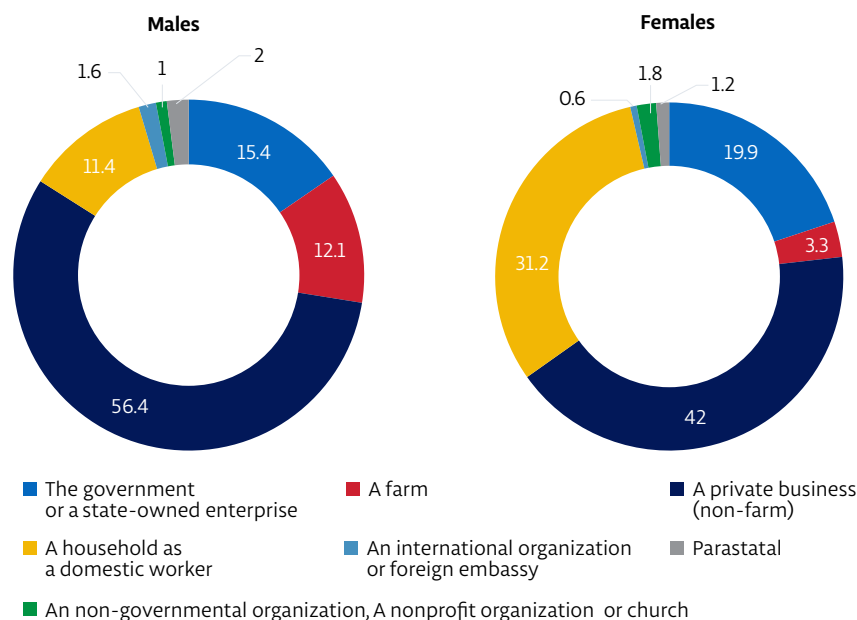
In Lesotho, occupational segregation prevails across the entire spectrum of labor market. Of the employed, both men and women are most likely to work for a private nonfarm business (figure 4.6), but occupational segregation is pronounced in many sectors. For example, 3 in 10 working women (31.2 percent) are employed as domestic workers compared to 1 in 10 working men (11.4 percent); higher proportions of working men (12.1 percent) than working women (3.3 percent) work on farms; and while women outnumber men in the public sector as current serving officers and pensioners by 8 percent, women tend to occupy more technical positions with less access to decision-making (Goldsmith and Associates 2018).

Gender differentiations by industry, as well as in occupational hierarchies, are also significant. According to the 2019 Labor Force Survey, the highest proportions of both males (33.1 percent) and females (34.4 percent) are engaged in elementary occupations.<sup>37</sup> Beyond that, while employed males are most likely to be engaged in agriculture, forestry, and fishing (17.4 percent), followed by the household<sup>38</sup> (9.3 percent) and mining and quarrying occupations (8.3 percent),

<sup>37</sup> Elementary occupations consist of “simple and routine tasks which mainly require the use of hand-held tools and often some physical effort” (ILO 2012).

<sup>38</sup> This is defined as “activities of households as employers; undifferentiated goods—and services—producing activities of households for own use.”

**Figure 4.6: Distribution of the Employed Population (15+ Years) by Sector and Sex, 2019 (%)**



Source: Bureau of Statistics 2021.

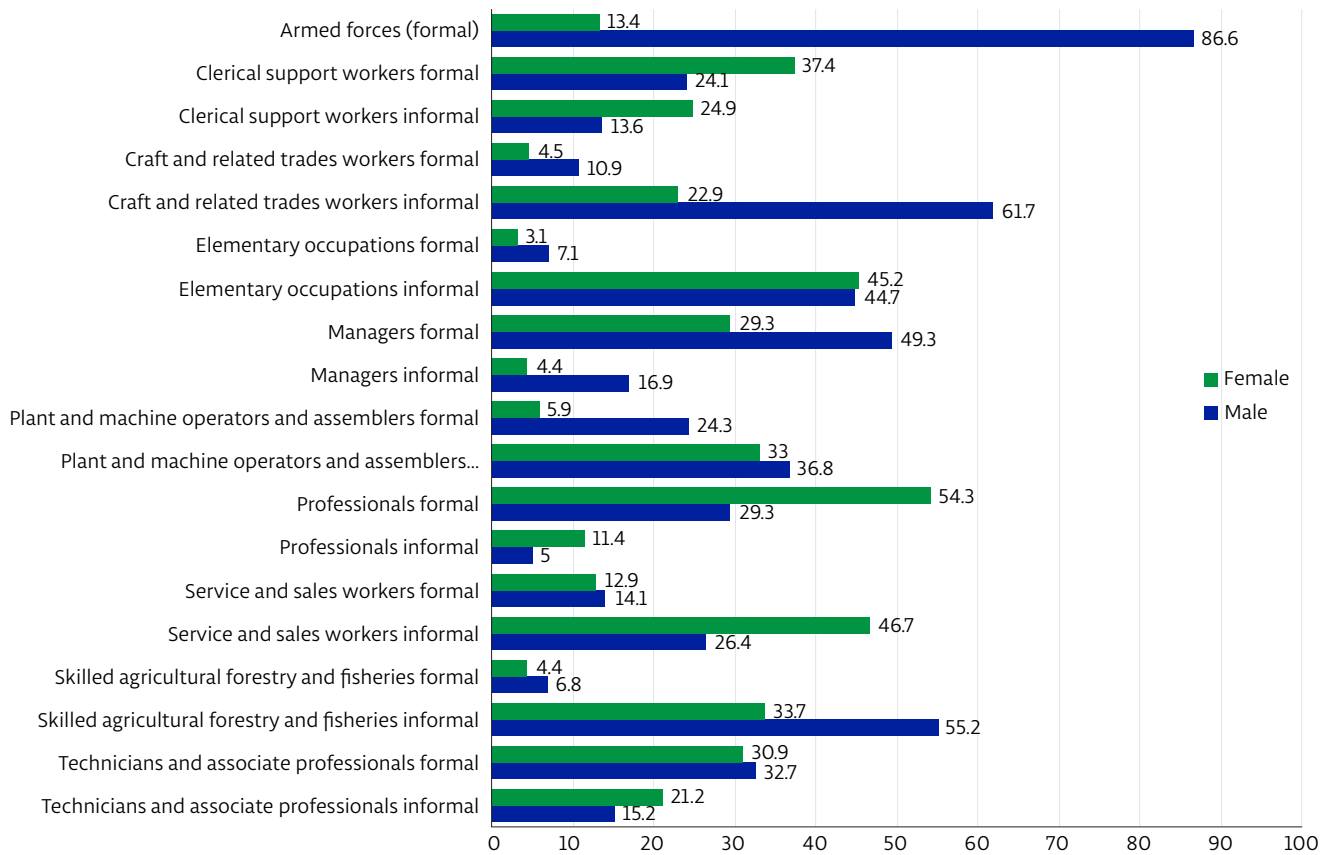
employed females are most likely to be involved in the household sector (24.9 percent), followed by manufacturing (18.3 percent) and wholesale and retail trade (15.6 percent) (Bureau of Statistics 2021). Table F.8 in appendix F shows the percentage distribution of the employed population by industry and sex.

Notably, women in Lesotho are prohibited from working in the mining sector, a lucrative industry in terms of financial remuneration.<sup>39</sup> In terms of occupational hierarchies, while more females than males are employed as “technicians, associate professionals, and professionals,” a higher proportion of employed males are engaged in a managerial capacity, regardless of formality of the sector. In fact, even in the sectors where women predominate, women tend to occupy lower-skilled jobs while men are in professional and managerial positions. To cite an example from a sector where women predominate, women make up the majority of workers in the tourism sector (59 percent) but they are primarily engaged in food services and hospitality functions as opposed to more skilled or managerial jobs (LTDC 2018). The breakdown of the employed by formality, occupation, and sex is detailed in figure 4.7.

Sectors like the tourism industry where women predominate, have been hit hard the most by the COVID-19 pandemic (box 4.1) (LTDC 2018); Government of Lesotho 2020. In the manufacturing sector, too, women comprise 80 percent of the approximately 40,000 textile workers in Lesotho and an increasing proportion of those who migrate to South Africa for jobs in the textile industry (Botea, Compernelle, and Chakravarty 2018). With the disruption of supply chains due to COVID-19 and a drop in demand for luxury goods (such as clothing) in the main recipient countries for Lesotho’s textile exports (the United States and South

<sup>39</sup> Labour Code, Article 132: Restriction on the employment of women in mines. (1) No woman shall be employed on underground work in any mine except with the written approval of the Labour Commissioner in such circumstances as the Minister may by regulation prescribe in accordance with the Underground Work (Women) Convention, 1903 (No. 45), of the International Labour Organization, as follows: (a) women holding managerial positions who do not perform manual work; (b) women employed in health and welfare service; (c) women who, in the course of their studies, spend a period of training in the underground parts of a mine; and (d) any other women who may occasionally have to enter the underground part of a mine for the purpose of a non-manual occupation. (2) Any person who employs a woman in contravention of the provisions of subsection (1) shall be guilty of an offence.

**Figure 4.7: Distribution of Employed Population (15+ Years) by Formality, Occupation, and Sex, 2019 (%)**



Source: Bureau of Statistics 2021.

Africa), women employed in the textile sector have been adversely affected. In fact, the Lesotho government anticipates that at least 4,000 textile jobs may be lost due to COVID-19 and is covering a portion of workers' lost wages through the Disaster Relief Fund (Government of Lesotho 2020).<sup>40</sup>

## 4.2. Gender Differentials in Earnings

Mirroring global trends, even with higher levels of education and literacy rates, women on average earn less than men (Tyson and Parker 2019). Specifically, in Lesotho, increasing educational attainment among both males and females results in increased mean monthly earnings. However, males' mean monthly earnings (4,673 maloti) are on average, 38 percent higher than those of females (3,377 maloti) in almost all age groups and across rural and urban areas (figure 4.8) (Bureau of Statistics 2021). The largest gender gaps exist for those with no education (where females earn just 19 percent of the earnings of their male counterparts) and those with preschool qualifications only (where females earn more than three times what their male counterparts earn).<sup>41</sup>

<sup>40</sup> Appendix D provides further details on the impact of the COVID-19 pandemic on women in the textile sector and the labor force more broadly.

<sup>41</sup> Mean monthly earnings by education level and sex are available in table F.10 of appendix F.



### Box 4.1 COVID-19 Impacts on Migrant Labor and Women in the Labor Force

In terms of impacts on migrant labor, approximately 100,000 labor migrants were reported to have returned from South Africa at the onset of the pandemic. It is highly unlikely South Africa will be able to reabsorb migrant workers in the near term and the lockdowns and recurring closure of borders has increased the risk of unemployment, especially for contract and informal workers. Socioeconomic factors such as unemployment, lack of job opportunities in rural areas, and low income levels have been highlighted as risk factors fueling irregular migration from Lesotho to South Africa, in turn resulting in increased trafficking in persons and smuggling of migrants (United Nations Lesotho 2020).

In terms of women specifically, the labor impact is concentrated in three groups where women have high representation: the household sector (domestic workers); low-paid workers without safety nets (including in subsistence agriculture, food services, and microenterprises); and front-line care and health care workers.

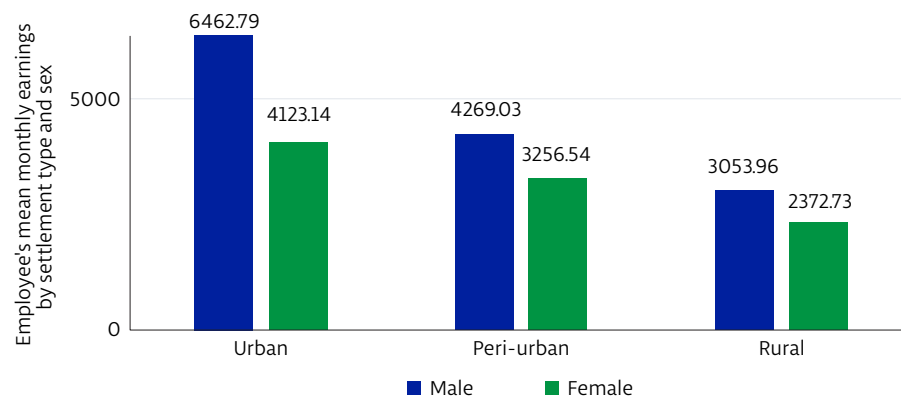
While the government is requiring formal sector workers to have access to paid leave, especially those in government, this is not the case in the textile sector, where more than 80 percent of the workers are women. The burden on women is also aggravated by the extra time required of women for increased childcare and other nonremunerated care work.

From aggregate labor market data estimated by the International Labour Organization (ILO), the impact of COVID-19 on the labor market and unemployment globally has been very different for men and women. Prior to the crisis, women suffered from notably higher levels of unemployment but were increasingly entering the labor market: the crisis has reversed that trend and forced women out of the labor market altogether, reversing a third of the progress made in the past eight years.

### Box 4.2 Areas of Further Research

The explanation for the gender gap in earnings is not clear from the available data and merits further inquiry. The gap persists even in urban areas, where women are increasingly finding opportunities for employment in the textile industry. These gender gaps suggest that wage disparities overall may be due less to differences in education and training, and more to barriers linked to discrimination in recruitment or professional advancement.

**Figure 4.8: Employees' Mean Monthly Earnings by Settlement Type and Sex, 2019 (Maloti)**



Source: Bureau of Statistics 2021.

**Table 4.1: Distribution of Employed Population (15+ Years) by Formality, Occupation, Sex, and Mean Monthly Earnings, 2019**

Occupation	Mean monthly earnings 2019	Male (%)	Female (%)
Managers	13,965.74	66.2	33.8
Professionals	9,178.04	34.3	65.7
Armed forces occupations	7,804.69	86.6	13.4
Technicians and associate professionals	7,771.63	47.9	52.1
Clerical support workers	5,051.64	37.7	62.3
Craft and related trades workers	4,246.96	72.6	27.4
Plant and machine operators and assemblers	3,888.41	61.1	38.9
Skilled agricultural, forestry, and fishery workers	3,276.09	62.0	38.0
Service and sales workers	2,952.69	40.5	59.5
Elementary occupations	2,233.93	51.8	48.2

Source: Bureau of Statistics 2021.

Women in Lesotho are concentrated in industries with lower earnings, and wage disparities persist even within the same type and level of job in several industries, although the legal environment is supportive of equal pay for equal work.<sup>42</sup> Further investigation is needed to understand the reasons underlying differences in pay though the limited data available at present suggests that wage disparities may be more closely linked to barriers such as discrimination in recruitment or professional advancement, rather than lack of education or training.

As seen in Table 4.1 above, the highest earning occupations in Lesotho are managers (of whom just 33.8 percent are female) and professionals (of whom 65.7 percent female) and the armed forces (of whom 13.4 percent are female). Across most other occupations, women earn less than men in the same occupation. In terms of industries, almost a quarter of Basotho women work in the ‘activities of households as employers’<sup>43</sup> industry, where mean monthly earnings are just 1,606.86 maloti per month. On the other hand, in the agriculture, forestry, and fishing sector or the construction sector, where a large percentage of males are employed, the mean monthly income is 2,200.98 maloti and 4,270.39 maloti respectively. (There is additional information on economic opportunities in appendix F).

### 4.3. Legal Barriers to Women’s Labor Force Participation and Employment

Social barriers to women’s employment, especially as they relate to household and childcare responsibilities, are compounded by legal barriers that disincentivize women’s work and progression in the labor force. In Lesotho, cultural norms render the responsibility for childcare and household labor to women, while placing expectation on men as the breadwinners for their families (Moseitse 2006). Some of the key legal barriers or implementation challenges that limit protection of women workers include the following (Council on Foreign Relations 2021).

<sup>42</sup> Labour Code, section 5(3), mandates equal remuneration for work of equal value.

<sup>43</sup> The full description for this category is: Activities of households as employers; undifferentiated goods and services producing activities of households for own use. No further explanation of this category is provided in the LFS.

## Parental leave

- There is a legally mandated maternity leave for public sector employees, specifically women who are permanently employed, for the minimum of 12 weeks recommended by the ILO. However, it is entirely unpaid.<sup>44</sup> The Labour Code requires that the mother takes six weeks' leave prior to birth, and remains home for six weeks after giving birth.
- Temporarily employed women are excluded from maternity leave coverage.<sup>45</sup>
- Dismissal during maternity leave constitutes unfair dismissal under the Labour Code of 1992,<sup>46</sup> but mothers are not guaranteed an equivalent position after taking maternity leave.
- Lesotho does not offer paternity leave.
- While the Labour Code of 1992 provides for maternity leave in the public and private sectors, for women in the private sector both the duration of maternity leave (beyond the minimum of six weeks prior to and after birth required by the law) and whether it is paid, including the amount of payment, are left to the discretion of the employer.

## Breastfeeding

- Although the Labour Code gives women the right to one hour per day for breastfeeding, consultations and anecdotal evidence suggests that most women are unable to exercise this right due to lack of adequate provisions made at workplaces and the distance of workplaces from homes.

## Childcare or care responsibilities

- The government does not provide childcare services, and payments for childcare are not tax deductible.
- Employers do not have to provide leave for employees to care for sick relatives (Council on Foreign Relations 2021).

## Sexual harassment

- There are no criminal or civil penalties or remedies for sexual harassment in places of work (World Bank 2021b).

### Box 4.3 COVID-19 Has Increased Women's Care Responsibilities

The declaration of a national state of emergency in March 2020 resulted in the closure of schools and all early childhood development centers, affecting approximately half a million learners, most of whom were in rural areas. The closure of schools also resulted in the closure of school feeding schemes, increasing the financial pressure on households. This has impacted mothers' ability to work. In addition, gendered norms of care mean that more women than men are employed as health and social care workers. This category of care worker was more exposed to COVID-19, putting women at increased risk of contracting the virus.

Source: UNDP 2020.

44 The ILO recommends a minimum of 12 weeks, and ideally 14 weeks.

45 The Public Service Regulations of 1969 guarantee paid maternity leave to permanently employed women, but those temporarily employed are excluded. The Pensions (Amendment) Order No.12 of 1992 entitles women in the public service to a pension, but those in the private sector are not as privileged. Moreover, women in the public service have a choice of pension, on temporary terms, with a gratuity at the end of 10 years, but their male counterparts are immediately pensionable after the normal period of probation.

46 The scope of application of the Lesotho Labour Code is as follows: (1) The Code shall apply to any employment in the private sector and to any employment by or under the government, or by or under any public authority, save as provided in subsection (2). Subsection 2 indicates that the code does not apply to those in the armed forces, or any other special category of public employee as designated by the Minister.

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## 5. Gender Gaps in Ownership and Control of Financial and Nonfinancial Assets

### Box 5.1 Major Challenges to Women's Land Rights

Exploitative sales, fraud, and poor verification mechanisms in land allocation and administration, including in the informal land market, are reported as major challenges to protecting women's land rights. Councillors and Land Administration Authority officers reported that women are more susceptible to such challenges due to the higher concentration of poverty amongst women and female-headed households and information asymmetries between the parties, with gaps more pronounced among women.

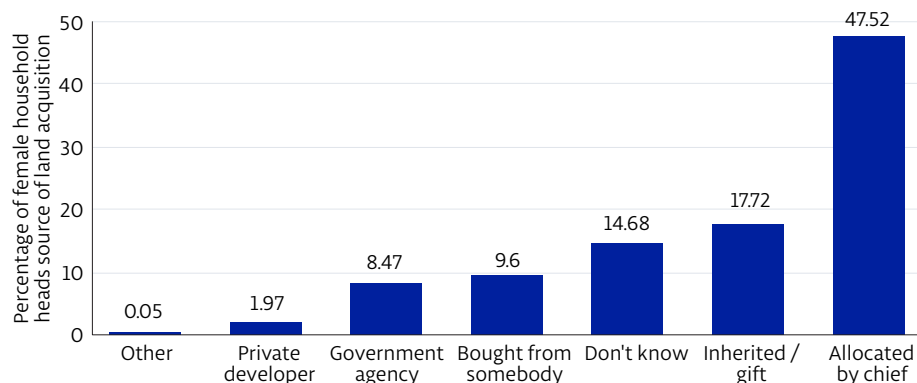
Source: Masekese Maema 2021.

As articulated in the World Development Report 2012, women's ownership and control of property and assets is essential to their economic empowerment and gender equality, because they assist in generating and diversifying income, influence women's ability to access credit, and help women cope with shocks (World Bank 2012). Accordingly, this chapter considers gender gaps in access to land, financial inclusion, and women's entrepreneurship, including the legal and practical barriers to addressing gender gaps (Leduka 2012).<sup>47</sup>

## 5.1. Land Rights and Ownership

Local chiefs in Lesotho continue to have significant influence in the land administration system, but recent legislative changes have improved women's access to and ownership of land, especially in urban areas. In the absence of a rural land registration system in the country,<sup>48</sup> land is allocated by a local authority in consultation with the chief of the area using Form C.<sup>49</sup> In fact, according to the 2018 census, land issued by a chief using Form C is the most common form of tenure in Lesotho (46 percent of all land titles), with 58 percent of rural residents and 30 percent of urban residents receiving titles this way (Habitat for Humanity 2019).<sup>50</sup> The local chiefs, considered to be guardians of customary laws and social norms, thus continue to have significant influence in land administration system (figure 5.1).

Figure 5.1: Source of Land Acquisition for Female Household Heads (%)



Source: Calculations based on Bureau of Statistics 2018.

Note: The category "don't know" is as reported in Bureau of Statistics 2018.

With the enactment of the Land Act of 2010, women's access to and ownership of land in Lesotho, especially in urban areas, has improved significantly, but the full intended effects of the act are constrained by poor implementation and forum shopping.<sup>51</sup> The enactment of the Land Act was expected to bring about transformative changes, since it seeks to strengthen women's ownership of land and improve tenure security through titling, including through

47 Data on women's access to other productive assets, such as livestock, are not easily discernible, and thus are not covered in detail in this chapter. During the consultations with the Land Commission, the team learned that while these data may be gathered at the grassroots level and held in community councils, they are not communicated to higher levels of government.

48 The Land Administration Authority has confirmed that currently there are no data on land segregated by gender within rural and peri-urban areas, where there is no electronic registration system. Records are generally kept in official land committee meeting minutes, notebooks, and computer desktops.

49 Prior to 1980, the local chiefs had the power to allocate land under customary law using a document known as Form C, which could be used as proof of customary tenure. Form C was abolished in 1979 but all forms issued before that date remain valid. Form C was replaced by Form C1 for agricultural use of land in rural areas and Form C2 for use other than residential or agricultural land in rural areas.

50 This is the case even though the Land Administration Authority formally has jurisdiction over urban land. It is also possible that some of these respondents acquired their land prior to the establishment of the Land Administration Authority.

51 Forum shopping occurs when a party attempts to have their action tried in a particular court or jurisdiction where they feel they will receive the most favorable judgment or verdict.

recognizing presumption of joint titling in marriage and granting women the right to inherit land and to transact with land.<sup>52</sup> Following the passing of the law, over the 2010–2015 period, the Land Administration Authority recorded a staggering 2,715 percent increase in land titles issued solely to women, and a 1,042 percent increase in joint titles, compared with a 489 percent increase of titles issued to men (table 5.1) (LAA 2019).<sup>53</sup> Notably, in an attempt to remove discrimination, especially as upheld by customary practices, the act stipulates that where customary law contradicts its provisions, the act shall prevail.<sup>54</sup> However, the effect of this provision on reducing discrimination is moot as long as a legal loophole in the Constitution remains in place—Article 18(4)(c), otherwise known as the “clawback” provision, which holds that discrimination on the basis of the application of customary law is permissible in law. Customary law is considered to apply to all Basotho as long as they have not legally denounced the customary way of life (Masekese Maema 2021; Letuka et al. 1994).

**Table 5.1: Number of Registered Leases for Urban Residential and Commercial and Rural Commercial Land**

Year	Male	Female	Joint title
1981	155	15	0
1990	564	145	0
2000	246	150	2
2005	393	133	43
2010	552	350	266
2011	781	1,938	2,806
2012	629	1,010	1,929
2013	5,813	14,419	20,843
2014	1,485	3,207	5,278
2015	612	976	1,567
2016	610	976	1,567
2017	567	981	1,402
2018	359	653	1,024
2019	468	820	1,409
Total (1981–2018)	13,234	25,773	38,136

Source: LAA 2019.

There is little evidence to suggest that the provision of land entitlement to women has resulted in more productive use of the land or improved incomes for women. Consultations with the Land Administration Authority have indicated that the increasing fragmentation of land plots with multiple title claims means that women are often gaining title to a much smaller, primarily residential plots.<sup>55</sup> More extensive and productive land remains primarily in the

<sup>52</sup> Sections 6, 10, 15, and 35 of the Land Act.

<sup>53</sup> During the consultations with the gender team, the Land Administration Authority and community councils indicated that the rates of land registration have declined due to the end of regularization, which was supported by a subsidy, and they now deal mostly with sporadic registration triggered by agricultural projects (for example, in the World Bank Southern Africa Development Project and transactions related to aggregation for cannabis investments) and land transactions.

<sup>54</sup> For an in-depth examination of the impact of the land reforms on women's tenure security and economic empowerment, see Masekese Maema 2021.

<sup>55</sup> On the issue of increasing fragmentation of plots and the ownership by women of smaller, primarily residential plots of land, the Land Administration Authority notes that while there are documented records, the Land Administration Authority system does not show the dimensions and size or how the parcel was acquired. However, this information is available on actual title documents. According to the Land Administration Authority, councils did confirm that allocations were smaller and, from a physical observation of plots allocated earlier and in recent years, the difference is visible.



### Box 5.2 Gender-Disaggregated Indicators

A complete review of the Central Bank's institution-specific reporting templates and the disaggregated data it requires from different financial institutions may be important for comparison with the indicators needed in Lesotho to monitor the Sustainable Development Goals (SDGs) from a gender perspective. A recent study on gender-disaggregated indicators needed across ministries, departments, and agencies highlights where priorities lie (PARIS21 and Bureau of Statistics 2021).

### Box 5.3 Reform of Inheritance Laws

The ongoing reform of inheritance laws aims at harmonizing customary and formal legal system to ensure equal status under the law of women and girls. This process was ongoing in 2022.

hands of men. Likewise, it is not clear from available data whether women's access to land titles has resulted in greater access to formal credit. The application of the Land Act of 2010 varies substantially at the local level, affecting the extent to which women can mobilize land as a productive asset. Even with a joint title, a woman's decision-making power over land is often limited by cultural and social norms.<sup>56</sup> The use of land as collateral in Lesotho is itself problematic. Productive land can only be used for collateral or for accessing credit if the credit being sought is to develop that land itself. The use of land as collateral thus appears to be rare.

Legal pluralism, social norms, lack of awareness, and limited capacity to implement the Land Act of 2010 means that women continue to face challenges, particularly in rural areas (Masekese Maema 2021). Since customary law is dominant in rural areas and most Basotho women are married under custom, the benefits of the act have not accrued to them in their entirety. This is due to the failure to review and align the relevant provisions of the Laws of Lerotoli (compiled in 1903) with the Legal Capacity of Married Persons Act of 2006 in order to harmonize the legal position on the rights of women married by customary rites. This results in property being automatically administered according to custom, despite the fact that the Land Act of 2010, albeit on paper, extends equal rights to married women regardless of the system under which they were married.<sup>57</sup> Further, as mentioned above, in rural areas, traditional leaders are part of the process for the allocation of land and act as gatekeepers of customary norms, which do not recognize the equal rights of girls and women in general (Leduka, Ntaote, and Takalimane 2018). As a result, women's claims to land, especially in rural areas, are often unable to stand up to contestation by male relatives (Masekese Maema 2021). Two groups of women that are particularly impacted by customary law in this regard are unmarried women and widows, who are considered to have secondary rights to family property.<sup>58</sup> The Laws of Lerotoli (Amendment) Bill 2022 attempts to address this issue as discussed in section 2 above.

Besides the contradictions with customary law and the traditional land governance institutions, practical barriers to addressing gender issues include the limited implementation capacity of land allocation and administration authorities and a lack of awareness about the law. The main land governance institutions in Lesotho charged with land allocation and administration are community councils and the Land Administration Authority. Recent research from the Leribe district found that 75 percent of councillors were of the opinion that the rural community councils, which are in the majority, had limited capacity to accurately implement the gender-related provisions of the Land Act (Masekese Maema 2021). In this study, the councillors also reported lack of uniform and consistent interpretation of the law.<sup>59</sup> The Ministry of Local Government and Chieftainship Affairs, with the support of development partners and nongovernment organizations, has been conducting training programs for chiefs and community councils on the provisions of the Land Act, but these trainings are short and limited, and commonly held at a central place with only limited representation. As a result,

<sup>56</sup> Technical consultations with gender experts, April 9, 2020.

<sup>57</sup> To make a will, a couple or spouse would have to renounce the customary way of life to have the full freedom of testation. An alternative is to have what is called "written instructions," which must comply with the limitations on the portion of the property that can be given away. If there are no written instructions, customary law recognizes the wishes of the deceased that were intentionally expressed during their life, known as "mantsoe a mofu a ho qetela," especially where it does not affect the rights of the customary heir. If there were a will of last testament, the Laws of Lerotoli would conflict with it if the will excluded the heir or gave away more than the greater share of the estate to which they were entitled. Findings also show that even where there is a will, dissemination and enforcement are problematic, especially when the heir is not male. For instance, under the Laws of Lerotoli, inheritance is intestate, and the law dictates that the heir is the firstborn male child in a household. It further states that the heir cannot be deprived of more than a greater share of the estate, because of the cultural responsibility they have in the family by virtue of their position. The former provision limits the powers of a couple that has contracted a valid customary marriage to bequeath their property to any other party.

<sup>58</sup> For example, land insecurity is greater for unmarried women, because they have secondary rights to property in their natal homes, legal uncertainty due to gender-discriminatory provisions under customary law relating to inheritance, and lower ability in practice to assert rights in case of contestation, especially in rural areas. Widows also continue to be unequally treated in matters of inheritance, resulting in diminished ability to claim land. The inconsistency between the Constitution and customary law in prescribing a widow's status on land inheritance undermines women's capacity to inherit land and housing in Lesotho.

<sup>59</sup> Specifically, section 10 on the presumption of joint titling was incorrectly interpreted to apply to new applications for title, and section 15 on inheritance of land was limited to male heirs.



### Box 5.4 Elite Capture of Land

The emerging issue of elite capture of land at undervalued rates in the informal land market is a key challenge that affects rural communities. Female-headed households are particularly vulnerable to the increasing number of predatory transactions in the informal land market, given economic hardships coupled with lack of support in negotiating a fair-value sale of their land. Community councils do not have the capacity to support vulnerable communities in land transactions or create more awareness on land rights.

Consultations in 2021 by the gender assessment team suggest that the sale of land at prices far below its actual value is becoming increasingly common, as investors and wealthy individuals are beginning to buy up land in rural areas. This is further linked to the lack of national standardized land valuation procedures and the fact that there is no mandatory requirement for land transactions to be automatically channeled through the formal land administration system. This has led to a highly informal land market compounded by an unregulated real estate sector. These exploitative sales do not provide a fair value to households.

this knowledge is not necessarily reaching chiefs, community councillors, and community members. This problem is further compounded by the lack of a national land registry that includes rural land and digitized records from the community councils, which further limits the ability to understand the status of and the potential mechanisms for supporting land rights for women in rural areas.<sup>60</sup>

## 5.2. Gender Gaps in Financial Inclusion

The government of Lesotho's strong commitment to improving financial inclusion in the country, emphasizing women as a key group, is reflected in its rich policy landscape. This includes commitments made to increase the inclusion of women as beneficiaries of the financial sector in its second National Strategic Development Plan 2018–2023 (NSDP II), its Financial Inclusion Roadmap 2014–2020, and the corresponding National Inclusive Finance Strategy 2017–2021 (Cenfri, FinMark Trust, and UNCDF 2014; Ministry of Finance 2017). Key ongoing reforms include the update to the National Inclusive Finance Strategy 2017–2021, which will be informed by a diagnostic that is currently examining what has been achieved under the existing strategy (FinMark Trust, SADC, and UNCDF 2019). Other regulatory and structural reforms that do not specifically target women but are particularly promising for them include enhancing affordable savings (for example, through interest on mobile money accounts), which would benefit women given their high rates of ownership of such accounts; and the establishment of dedicated institutional capacity of the Central Bank for financial inclusion, which has begun in the last five years to increasingly focus on supporting gender equality in all its programs.<sup>61</sup> However, this strong underpinning policy landscape is restricted from achieving its intended outcomes by significant data gaps, which hinder an accurate understanding of women's financial inclusion in the country and so limit gender-responsive policy development.<sup>62</sup>

60 Consultations with Millennium Challenge Corporation.

61 Other critical innovative measures launched include a digital financial identity project aimed at using digital financial identity for frictionless and virtual know-your-client of customers and implementation of Lesotho Scaling Inclusion through Mobile Money (Lesotho SIMM) (FinMark Trust, SADC, and UNCDF 2019).

62 Assessing financial inclusion in Lesotho can pose challenges, given that there is no legal mandate for financial institutions to report consumer credit information to the federal credit reporting system. Reporting information disaggregated by gender is voluntary, although some institutions have recently committed to regular reporting. The Central Bank of Lesotho, with support from the World Bank, hosted the first Financial Inclusion Day on November 28, 2018, where several institutions made this commitment.

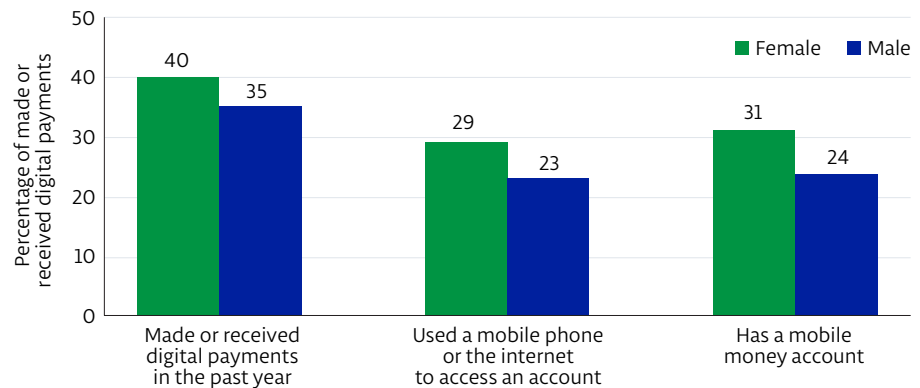
### Box 5.5 New Partnerships for Financial Inclusion

The Central Bank has embarked on a drive for financial inclusion through initiatives such as embedding financial education to begin from the primary school level, in partnership with the Ministry of Education and Training.

### Box 5.6 Further Research Required

Further research is needed to identify pathways to support women with mobile money accounts to better leverage their savings for investment purposes.

Figure 5.2: Digital Financial Services in Lesotho, Age 15 years and above (%)



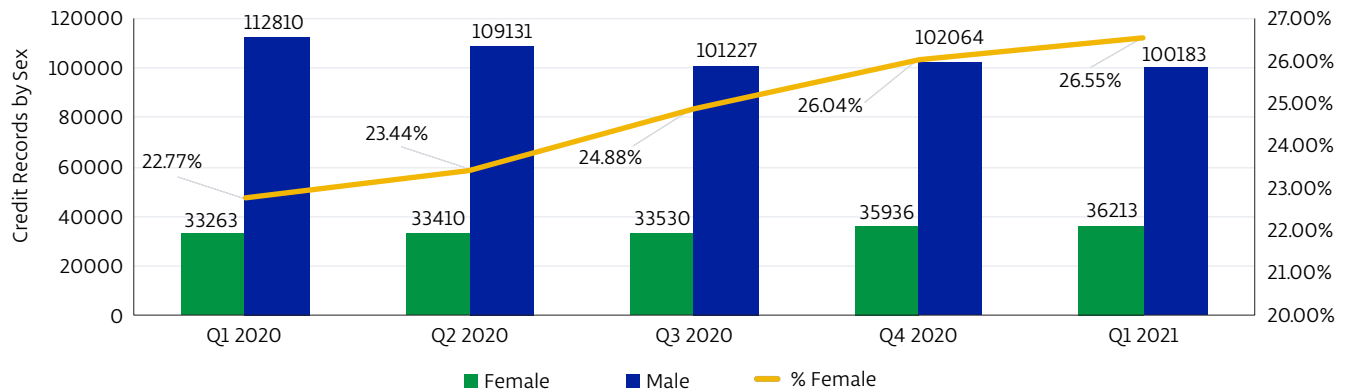
Source: Global Findex Database 2017

Women have almost achieved parity with men in access to formal bank accounts, with some of the highest inclusion levels in the region; but women continue to rely more on informal sources of finance. According to Findex 2018 data, Basotho women have almost achieved gender parity, with 46.5 percent of women having a formal bank account (World Bank 2018). However, the main determinant for account holding appears to be wealth rather than gender, with a gap 22 times wider between the rich and the poor than between men and women (Demirgüç-Kunt et al. 2018). Because of this difference, it is not surprising that 25 percent of women use informal financial services only, compared with 19 percent of men (Gates Foundation 2019). In particular, for many women, especially in rural areas, savings and loans are predominantly done through local community and informal savings clubs.<sup>63</sup> A 2014 study suggests that women had more trust in informal networks, and the use of technical jargon by formal banks is often construed by rural women in Lesotho as lack of transparency regarding various charges (such as interest) and the reasons behind them (Cenfri, FinMark Trust, and UNCDF 2014). In another study, similar opinions were shared by female respondents who indicated that high charges in banks made them unattractive for everyday usage. However, existing data do not confirm the root causes for women's lack of trust in formal financial networks in Lesotho. This area deserves further research as it may be symptomatic of underdeveloped physical or institutional infrastructure, regulatory barriers, or lack of competition (Cenfri, FinMark Trust, and UNCDF 2014).

Mobile money is playing a critical role in driving financial inclusion in Lesotho, while microfinance has not met with much success (FinMark Trust, SADC, and UNCDF 2019). According to recent data, 31 percent of women have mobile money accounts compared with 24 percent of men, and 40 percent of women made or received digital payments compared with 35 percent men (figure 5.2). Women in Lesotho tend to use mobile money primarily for household services, whereas men use it for larger business transactions (Marcussen 2018). In addition, according to consultations with country experts, mobile money seems to contribute toward creating a comparatively equal space for spouses to manage the household economy, thus creating more agency for women to manage their own economy than in the past, when it was exclusively dominated by male family members (Marcussen 2018).<sup>64</sup> On the contrary, microfinance institutions have an unfavorable reputation in Lesotho due to poor market practices in the past such as unethical debt collection practices and reckless lending as well as

<sup>63</sup> Informal savings groups, most of which operate as accumulative savings and credit associations, are an important source of informal credit. Many offer loans to both members and nonmembers, but members receive a preferential interest rate (10 percent per month on average), whereas nonmembers are charged between 15 percent and 20 percent per month (KLA 2014). Some women utilize rotating credit and savings organizations to mobilize savings outside the formal financial structure.

<sup>64</sup> World Bank roundtable consultations, May 14, 2021.

**Figure 5.3: Credit Records by Sex, 2021**

Source: Central Bank of Lesotho 2021.

indebtedness of the microfinance institutions themselves. Consequently, the Central Bank has made significant efforts to reform the legal and regulatory framework for this sector, addressing supply-side challenges to ensure that international best practice is followed, resulting in enactment of the Financial Institutions (Credit Only and Deposit Taking Micro-Finance) Act of 2012 and revised regulations in 2018. Further, the Central Bank is conducting a diagnosis on demand-side challenges in the market and plans to introduce further reforms in the next three to five years.<sup>65</sup>

As of 2021, only 27 percent of Basotho women have credit records (figure 5.3) (Central Bank of Lesotho 2021). The lack of women's credit history may partially be due to the very recent inclusion of more gender-informed credit reporting systems as well as a lack of market and user data for the design of targeted policy interventions in Lesotho. This results in greater legal and regulatory barriers to women's access to financial inclusion (Gates Foundation 2019). To address this, the government of Lesotho has set a target of 30 percent of women recorded in the credit bureau by 2022 (Central Bank of Lesotho 2021).

There is a gap in understanding of women's financial needs, particularly the forms of financing women can access and how these contribute to greater economic well-being (or not). There is thus a need to better understand rural women's financial inclusion needs, as consumers with often low levels of financial literacy and for whom informal savings groups often constitute the only source of services they receive. Given the low coverage of formal services in rural areas, it would be important to explore how digital financial services can function to move from an informal and unregulated financial sector to a regulated one, with potential access to lending and establishment of a credit history.

## 5.3. Women in Entrepreneurship

Despite women's low rates of participation in the labor force, Lesotho has a high percentage of firms owned by women. According to the 2016 Enterprise Survey, Lesotho has the highest percentage of firms with "female participation in ownership" in the formal sector

### Box 5.7 Expanding the Credit Bureau

Lesotho expanded its credit bureau's coverage to include more than 5 percent of the population between 2015 and 2017. Access has continued to increase beyond urban areas, with a reported 31 percent increase in total number of access points, driven largely by mobile money agents and point of sale devices (Cenfri, FinMark Trust, and UNCDF 2014).

<sup>65</sup> World Bank roundtable consultations, May 14, 2021. The Central Bank of Lesotho has also informed the media that the Money Lenders Act of 1993 will soon be repealed. The act will be replaced by the proposed updated Financial Institutions Credit Only and Deposit Taking Micro Finance Act, which was expected to be tabled before the parliament and passed into law in 2021. It is still pending as of February 2022.

**Table 5.2: Women ownership and participation rate, 2016 (%)**

Women ownership and participation rates	Lesotho 2016	Small firms	Medium firms	Large firms	Sub-Saharan Africa
Firms with female participation in ownership	39.1	33.0	67.4	24.5	29.0
Firms with a female top manager	36.2	35.7	25.5	68.7	14.1
Proportion of permanent full-time workers that are female	48.2	51.4	40.4	34.1	29.3
Permanent full-time nonproduction workers that are female	50.1	51.8	36.9	58.9	30.6
Permanent full-time production workers that are female	45.6	46.2	31.7	58.1	23.0

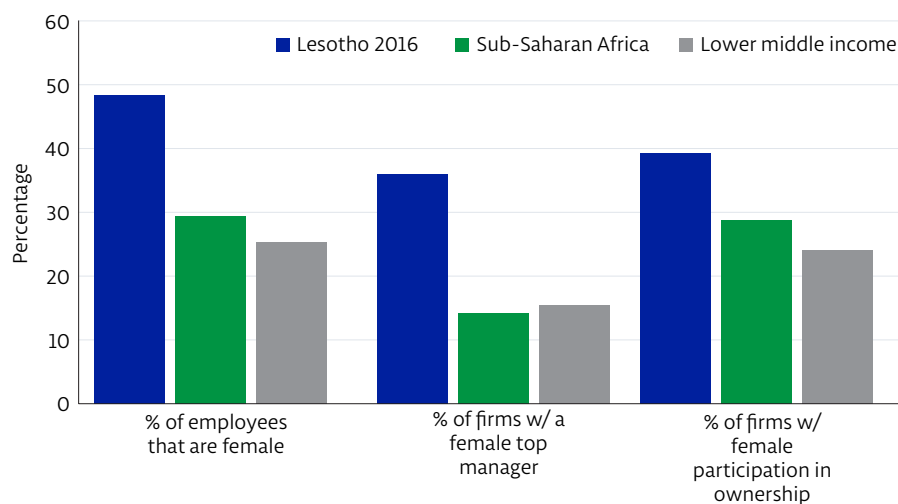
Source: Lesotho Enterprise Survey 2016.

### Box 5.8 Women in Entrepreneurship

In Lesotho, women are more likely to venture into entrepreneurship than men but are hamstrung by several social, cultural, and legislative impediments and lack of technical skills. The draft national policy for micro, small, and medium enterprises (MSMEs), 2021, recognizes as a strategic objective the need to ensure equal economic opportunities for women and other disadvantaged groups in MSME activities.

(39.1 percent) in Sub-Saharan Africa, where the average rate is 29 percent (World Bank 2016). Women also accounted for 36.2 percent of top managers of Basotho firms in 2016, more than double the average of 14.1 percent for Sub-Saharan Africa (Table 5.2 below). It also has the highest percentage cumulatively of female participation in (a) employment; (b) top management; and (c) firm ownership, compared to the equivalent percentages for the region and for economies with similar income levels (figure 5.4).

**Figure 5.4: Female Participation in Employment, Top Management, and Ownership**



Source: Cenfri, FinMark Trust, and UNCDF 2014.

However, female-owned businesses in Lesotho tend to start and stay small and are concentrated in a few sectors. The highest proportion of firms in Lesotho with majority female ownership (45 percent) are in the “small” category of firms, with 1–10 employees. In the case of large firms (101–500 employees), only 9 percent have a female majority. This rate is slightly lower than the average of 10 percent for large firms in Sub-Saharan Africa with a female majority (World Bank 2019). Moreover, women entrepreneurs are concentrated in the manufacturing and service sectors, where 36 percent of manufacturing and 25 percent of service firms have female top managers (World Bank 2016).

Most of the women entrepreneurs in Lesotho are livelihood or subsistence entrepreneurs, and very few are growth or opportunity entrepreneurs.<sup>66</sup> Global literature suggests that women who undertake entrepreneurship as a survival strategy—that is, necessity or livelihood entrepreneurs—face greater barriers to mobility and scaling up than those who start a business by choice (Solotaroff et al. 2019; World Bank 2019). This also appears to be the case in Lesotho. Common constraints include poor quality and viability of business plans and lack of capacity to differentiate the product or to identify markets. Similar findings for both men and women have been reported in the FinMark Trust (2016) survey for Lesotho, where the main constraints to starting a business was sourcing of money (49 percent), followed by not having enough customers (19 percent), cash flow (19 percent), knowledge of what product to sell (14 percent), perceived competition (13 percent), being owed money (13 percent), who to sell to (6 percent), and business space (6 percent) (FinMark Trust 2016; World Bank 2016). These findings are not disaggregated by gender and a more thorough assessment would be required to understand gender-differentiated barriers to entry and growth faced most commonly by women entrepreneurs.

Access to credit is one of the major challenges that women entrepreneurs experience. A study conducted among women entrepreneurs in Sub-Saharan Africa found that in Lesotho, women-owned businesses find it more difficult to secure financing than their male counterparts, a key challenge being lack of collateral, followed by social and cultural barriers, limited access to technology, and legislative impediments.<sup>67</sup> It is thus not surprising that a gender gap of 9 percent has been noted in bankable business owners, whereby 37 percent of female-owned businesses and 46 percent of male-owned businesses use formal banks in Lesotho. Access to early-stage finance is extremely limited, and start-ups and technology-driven businesses are unable to access financing from commercial banks due to strict collateral requirements and immediate repayment. Even then, women entrepreneurs experience additional barriers. Data from 2016 also show a significantly higher loan application denial of firms managed by women (4.2 percent) compared to firms managed by men (1 percent) (World Bank 2016).<sup>68</sup>

Targeted programs and initiatives have emerged to support entrepreneurship in Lesotho but the extent to which women have benefited from these is not known. Broadly, the government of Lesotho does not have any specific incentives, policies or legislation targeting women entrepreneurs. However, a World Bank assessment found that as of June 2020, there were 12 main active entrepreneurship support programs in Lesotho managed by civil society organizations and Central Bank and financial institutions that could be considered as providing support to growth entrepreneurs (World Bank 2020). However, these programs are fragmented, small in terms of investment size and beneficiaries targeted (often overlapping target groups),<sup>69</sup> provide rudimentary training, offer very limited technical or financial support, and are primarily concentrated in Maseru, the capital and the largest city of Lesotho. Their impact and scalability are thus limited.<sup>70</sup> Further, rural women are also likely to be excluded from these entrepreneurship and employment programs, especially since most programs target urban youths with more education and skills. For instance, a 2018 assessment of

### Box 5.9 Typical Profile of Women Entrepreneurs in Lesotho

- A married woman in her 40s (Overall, 81 percent of MSME owners were over 30 years of age)
- Mother of at least one child having finished secondary education
- Started business with personal savings as capital
- Sole proprietor of a business operating in the retail or agricultural sector
- Can be categorized as a necessity or livelihood entrepreneur

Source: Langweya, Mabuza, and Tshabala 2011.

66 A necessity or livelihood entrepreneur is someone who has pursued entrepreneurship to acquire productive employment and livelihood for themselves; a growth entrepreneur sets out to create and grow a business that will generate jobs.

67 Mpaki 2020 (quoting Basotho Enterprises Development Corporation Chief Executive Officer, Idia Penane).

68 Finance indicator (percentage of firms whose recent loan application was rejected). When comparing urban versus rural MSMEs, the financial inclusion of rural entrepreneurs (32 percent) is slightly lower than urban businesses (39 percent), which can be explained by the limited availability and usage of bank products in rural areas and their consequent reliance on informal mechanisms. However, this trend also illustrates the role of the informal sector in terms of pushing the boundaries of financial inclusion, especially in rural areas. When compared regionally, however, Lesotho fares well, with the lowest percentage (35 percent) of excluded entrepreneurs compared to its neighboring countries (FinMark Trust, SADC, and UNCDF 2019).

69 For example, both the Bacha Re Bacha Youth Forum program and the Maluti Mountain Brewery Kickstart program offer start-up capital, business training, and mentorship to the unemployed graduates in overlapping age groups (18–35 and 21–35 years, respectively) (World Bank 2020).

70 More details on these programs, including mapping according to the type of support being provided at the different stages of the venture life cycle, can be found in World Bank 2020.



### Box 5.10 Examples of Women-Focused or Women-Led Entrepreneurship Ventures in Lesotho

- *Girls Coding Academy* seeks to equip young women (and men) with basic computer skills, robotics, and computer science concepts to enable them to engage experimentally in application development. They have trained over 5,000 girls and 2,000 boys from mostly rural schools in Lesotho, and four of their graduates won an international award at the 2019 Pan African Robotics Competition.
- *GEM Institute Lesotho* has provided coding training to more than 3,000 girls from hard-to-reach and rural places in Lesotho. Around 150 young women joined the first Girl Tech Talk Conference in 2019 to showcase coding skills, robotics, machine learning, and app and website development. It has developed the Take Me Home app, which serves as a marketing platform and online shop for film, fashion, and agriculture products.

government employment and entrepreneurship programs found that 44 percent of government-run programs, and 86 percent of resources, go toward programs accessible mainly to highly skilled youths in urban areas. Very little effort is made to bring programs to more rural districts (Troiano, Santos, and Rigolini 2018). Thus, the role that targeted programming can play, focusing on barriers to entry and growth of women entrepreneurs in Lesotho, including access to financial services, is an area deserving of more attention.

## 5.4. Legal and Practical Barriers to Women's Financial Inclusion and the Growth of Women-Owned Enterprises

Lesotho has recently adopted several long-pending reforms to support greater financial inclusion and a more conducive business environment, including for women entrepreneurs.<sup>71</sup> From a context where women in Lesotho were accorded a minority status that barred them from acquiring and owning economic assets such as land, legislative reforms such as the Legal Capacity of Married Persons Act of 2006, the Land Act of 2010, and the Secured Interest in Movable Property Law of 2016 and Regulations, have the potential to bring about the desired benefits to women entrepreneurs.<sup>72</sup> For instance, as per international good practice, the provision of movable collateral registry, introduced by the Central Bank of Lesotho, could be a significant step toward economic growth, particularly for women entrepreneurs, who often face challenges obtaining credit due to their low levels of access to immovable property. However, because of prevailing customary norms (particularly in rural areas) and unequal treatment over inheritance, and patriarchal habits with regard to asset control, practical disparities persist that limit or challenge women's access.

Social norms continue to constrain women's access to finance. Global data suggest that women are often perceived as being "unbankable" from the perspective of commercial financial institutions and markets because they do not have enough income or present too high a lending risk (World Bank 2016). Women's access to loans has been historically low in Lesotho, though there has been a trend of increasing access, with the rate of women's loans in the second quarter of 2020 estimated at almost double that in the third quarter of 2019.<sup>73</sup> Nevertheless, as mentioned above, loan application denial of firms led by women is comparatively higher than for males (World Bank 2016). A more detailed assessment, looking at the types of loans and specific reasons for rejection, would be required to understand why more applications by women-led firms have been denied credit. Based on consultations, projects may be deemed unbankable for a variety of reasons, including capacity constraints on the part of the financial institutions, information asymmetries on the part of credit seekers, or lack of proper documentation on the part of the applicant (such as adequate cash flow projection not produced in the application or lack of collateral), which tend to affect women-owned or -managed businesses more. Further, as part of risk evaluation criteria, irregular practices by some creditors (such as requiring spousal consent, indemnity forms, or at times the physical presence of the spouse) create additional hurdles for women as credit applicants.<sup>74</sup> For example, consultations revealed that financial institutions at times ask unmarried women and

<sup>71</sup> There are several barriers that affect the financial inclusion of the population generally, including of women, described in greater depth in the Lesotho Financial Inclusion Roadmap 2014–2020 (Cenfri, FinMark Trust, and UNCDF 2014).

<sup>72</sup> Movable collateral is a category of nonfixed assets, such as equipment, machinery, and inventory, that do not typically come with nationally registered certification of ownership.

<sup>73</sup> Consultations with the Central Bank indicate that the bank is currently collecting these data as a part of its credit information sharing report, which was expected to be finalized and published towards the end of 2021.

<sup>74</sup> Technical consultations with gender experts, April 9, 2020.

widows for consent from a male member of their family (father, brother, husband's heir), and separated women are requested to provide proof of divorce. This may add additional layers of complication for the female applicant, as it has been reported that it is common in Lesotho that married persons divorce informally, with no formal proof of divorce.<sup>75</sup>

Women have limited business development, training, knowledge, and access to networks and markets. A fragmented and weak ecosystem with very little collaboration and coordination amongst the service providers, mismatch between the programs delivered and the longer-term needs of businesses, unaffordability of services, and lack of access to new opportunities and markets, limit the capacity of all entrepreneurs to grow, create jobs and contribute towards strengthening entrepreneurship in Lesotho (FinMark Trust 2016; African Development Bank 2016). Further, access to business development services that would enable these businesses to interact with banks with quality business plans is identified as another critical challenge (World Bank 2020). These limitations acutely affect women entrepreneurs, particularly in rural areas, where access to information on various existing government schemes and programs is lacking. For instance, the only study on women entrepreneurship programs in Lesotho from 2011 notes that the Basotho Enterprises Development Corporation and the Lesotho National Development Corporation do not have a systematic process to identify the specific development needs of women entrepreneurs (Langweya, Mabuza, and Tshabalala 2011). More targeted and effectively delivered business development services could lead to better outcomes for women-owned MSMEs.<sup>76</sup>

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<sup>75</sup> World Bank roundtable consultations on financial inclusion, May 10, 2021.

<sup>76</sup> The African Development Bank's Economic Diversification Support Program (2016–2020) provided support to develop the business development services market and improve delivery of services, including an increased role for the private sector through technical assistance for the design of appropriate toolkits and training packages, as well as capacity building of the Basotho Enterprises Development Corporation in its role as facilitator and champion. However, it does not contain measures to specifically address the needs of women entrepreneurs.

### Box 5.11 Common Barriers Faced by Women Entrepreneurs

Barriers faced by women entrepreneurs include discrimination, such as harassment by officials in processing paperwork (for example, requests for proof of husband's permission to borrow money even when not required to do so under relevant legislation), and lack of time to engage in enterprise development due to high levels of unpaid care work. These factors, in combination, may explain why women-owned businesses are generally smaller and less productive than their male-owned counterparts.

*Source:* Consultations with Ministry of Small Business Development, Cooperatives, and Marketing, August 16, 2021.

### Box 5.12 Easing the Challenge of Access to Finance

Two partial credit guarantee schemes (one operated by the Lesotho National Development Corporation and the other by the Ministry of Small Business Development, Cooperatives, and Marketing, for 50 percent and 70 percent cover, respectively) ease the challenges of access to finance. However, these do not have any specific provisions targeting women entrepreneurs. Moreover, as they require business owners' contribution of 30 percent, many businesses do not benefit from these schemes as they cannot afford the minimum level of contribution.

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## 6. Gender Gaps in Voice and Agency



Women’s lack of voice and agency persistently drive gender gaps in outcomes. Key issues have been and remain women’s lack of societal voice due to underrepresentation in national and local decision-making bodies; the limited voice of women within households associated with their lower control over household resources and fertility; and their exposure to gender-based violence. These issues are discussed below.

## 6.1. Gender Gaps in Political Representation

Women’s political representation in Lesotho has been declining at both the national and local levels in recent years. Women’s representation improved between 2002 and 2012 but has since dropped. In 1993, upon the country’s return to a multiparty democracy, women comprised 4.6 percent of the members of parliament, increasing to 11.7 percent in 2006 and subsequently to a high of 26.7 percent in 2014, before backsliding to 23.3 percent in 2018 (IPU 2019). As of 2019, there were 35 women in the parliament: 28 out of 120 total seats in the National Assembly, and 7 of 32 seats in the Senate. This is just below the global average of 24.5 percent (IPU 2019). Likewise, Lesotho has seen regression in women’s representation in the Cabinet, from a high of 42 percent prior to the 2012 elections to a low of 10 percent in 2017. In the May 2020 Cabinet, there were three female ministers (gender, foreign affairs, and labor and employment) and one female deputy minister (education and training) (Government of Lesotho 2019a). Evidently, women’s representation has not improved over the years and is far below the standard target of 30 percent minimum and 50 percent gender parity in the SADC and African Union declarations, respectively.

Drivers of women’s low representation in politics are multifaceted (Letuka, Mapetla, and Matatshane 2015). Women’s entry into electoral politics is restricted by gender biases within the electoral system as well as in society, including amongst women voters; the challenging political system, with frequent changes in leadership before the completion of term limits; and structural issues (International IDEA 2021). The proportional representation route through which women have primarily been elected to parliament, versus the “first-past-the-post”<sup>77</sup> structure through which male candidates are commonly elected, is also indicative of deep-rooted biases that continue to limit women’s representation in decision-making.

The Basotho Women’s Parliamentary Caucus was founded in May 2018 to amplify women’s voices in policy making by ensuring that all legislation is gender sensitive. The caucus comprises women from across all the political parties in the National Assembly and the Senate and is open to all the women therein. As raised during the consultations carried out for this gender assessment, the challenge has been that the women remain partisan and follow their party line even on matters related to progress on women’s issues and gender equality. The caucus thus appears not to function as expected. However, the caucus has developed an action plan and has elected officers running capacity-building workshops with the support of development partners, and has engaged in partnerships with local nongovernmental organizations and women groups in other parliaments in the SADC.

Women have more presence at the local government level, facilitated by previous legislative quotas, but progress is being reversed at this level since the quota has been revoked. At 40 percent, women’s representation in local government structures exceeds their representation at national level (23 percent). Between 2005 and 2011, the Local Government Elections

### Box 6.1 Local Government Representation

Lesotho ranks third in the SADC region after Namibia and South Africa in women’s representation in local government (Gender Links 2018).

### Box 6.2 Challenges at the Local Government Level

Interviews with nongovernmental organizations suggest that while local government reforms have facilitated women’s participation in politics and administration at local level, councils remain male dominated. Women occupy many posts at the technical level but have limited roles in decision-making. Councils also have few youth members.

<sup>77</sup> In a first-past-the-post (sometimes formally called single-member plurality voting) electoral system, voters cast their vote for a candidate of their choice, and the candidate who receives the most votes wins (irrespective of vote share).

Act<sup>78</sup> required that 30 percent of all newly created single-member electoral divisions (distributed across the newly created councils) be reserved for female councillors.<sup>79</sup> These divisions were randomly assigned such that Basotho citizens in 30 percent of all local electoral divisions were exposed to quota-mandated women as political leaders, while the remaining 70 percent of electoral divisions were open to contestation by female and male candidates. In the 2005 elections, women won 28 percent of openly contested community councillor seats, bringing their total representation to 58 percent with the additional 30 percent quota, and many assumed significant leadership roles in the local government structures (International IDEA 2021). However, there have been setbacks. The quota for women's representation was contested by a prospective male electoral candidate as unconstitutional and, after a lengthy legal process, the law was amended ahead of the 2011 local government elections to revoke quotas at the constituency level and introduce a system whereby the 30 percent seats reserved for women were distributed among parties on a proportional representation basis. The result was an immediate reversal of the gains made in prior elections. Women's representation declined from 58 percent in 2005 to 49 percent in 2011, and down to 40 percent in the September 2017 elections.

Informal barriers linked to social norms restrict women's leadership roles in local government, especially in rural areas. Historically, women have been denied leadership roles in traditional structures. With the extension of democratic governance to the local level with the Local Government Act of 1997, women gained greater rights of participation, but social structures continued to work against them. At the local level in particular, a history of women's exclusion from decision-making bodies continues to influence attitudes to female leaders, with many seeing voting and holding office as roles for men only. Voter education has been limited in rural areas, and many women continue to see voting as the man's role. Some have also suggested that women have been conditioned not to trust female leaders, and therefore will not vote for them (Lesotho Council of NGOs 2015).

There is some evidence to suggest that even though women's numbers have increased on local councils, decision-making on the councils continues to be dominated by male members. In a 2015 study, some newly elected female councillors reported that male councillors were preventing them from holding public gatherings in their districts or organizing meetings with women only. The study also found that even though the number of female councillors had increased, women's presence on district committees, which make decisions about planning and budgets, remains very limited. Consequently, the election of more female councillors was perceived by their constituencies as having had little impact, and this lack of impact was attributed to women's weak leadership rather than institutional barriers (Lesotho Council of NGOs 2015).

Laws restricting chieftainship to males also limit the seats available to women and result in exclusion of women from traditional political power structures. At both the national and local levels, several positions are reserved for chiefs, who either inherit their posts (as in the Senate) or are nominated and chosen by their peers (as for local government councils). In both cases, women's participation is highly restricted by formal and informal barriers. The Chieftainship Act of 1968 restricts chieftainship to males,<sup>80</sup> effectively excluding women from 22 of the 33

<sup>78</sup> Section 26(1).

<sup>79</sup> Women still competed with other women in these electoral divisions, but men could not compete for these seats.

<sup>80</sup> Section 10 of the Chieftainship Act of 1968 denies women the right to ascend to chieftainship in their own right. Section 10(2) prohibits a female offspring from inheriting chieftainship or succeeding her deceased father. Moreover, Section 10(4), provides that the wife of the chief may take over the chieftainship (in acting capacity only) where the male firstborn of the chief is not available to take up the position or the chief has no other son. However, women are permitted to serve as interim chiefs if the male heir is not of age to assume the chieftaincy.

Senate seats.<sup>81</sup> Women cannot succeed their fathers with regard to chieftainship in customary law, which excludes them from traditional political power structures. Challenges to this law have failed, and the Lesotho High Court in 2013 upheld a provision in the Chieftainship Act giving the exclusive right to inherit the customary title of chief to the firstborn male offspring, denying female children the same rights based on gender (Southern African Litigation Centre 2013).

Political parties largely exclude women from decision-making roles at the national and local levels. With political party executive membership hovering at around 25 percent of women, this in turn influences who stands for elections. Even though women comprise most members of political parties, the constitutions of the various parties are silent on women's representation, and most do not stipulate quotas for women's seats. Exceptions appear to be the Democratic Congress and Lesotho Congress for Democracy, with 30 percent quotas for members of committees at all levels; however, these apply only to committees and not to candidate lists (Lesotho Council of NGOs 2015). According to the Independent Electoral Commission, as of 2018, 280 men held senior positions in political parties, compared to only 151 women (Government of Lesotho 2018). Generally speaking, women fill lower-level posts. For example, in 2015, the executive committees primarily comprised men, with women making up only between 16 percent and 38 percent (UNDP 2015). This means women do not rise in the ranks easily, and function primarily to motivate voters. Similar dynamics are at play at the local level. The process by which parties nominate councillors is heavily influenced by party affiliation, so that when women are put forward as candidates, they may see themselves as representing the party rather than their communities, which puts limits on their autonomy when they are elected (Lesotho Council of NGOs 2015).

When it comes to seeking political office, women have much less experience in political life generally, and have limited access to the financing and social networks needed to run for office. At the local level in particular, a history of women's exclusion from decision-making bodies continues to influence social norms related to female leaders, with many seeing voting and holding office as roles for men only. Female elected officials have had problems with male-dominated councils preventing them from holding public meetings or excluding them from decision-making (Lesotho Council of NGOs 2015). Without the capacity and political connections to enable them to build and manage a political campaign or navigate the political climate once elected, many struggle to advance. Gender-insensitive cultural attitudes, coupled with disproportionate responsibilities for domestic work, remain major barriers to increasing women's ability to compete equally with men.

## 6.2. Gender-Based Violence

Despite serious underreporting in Lesotho, gender-based violence rates are high against both men and women. A key study covering various dimensions of violence against women and girls in Lesotho found that 86 percent of women experienced some form of violence at least once in their lifetime and that 40 percent of men had perpetrated violence against women at least once in their lifetime. Gender-based violence rates against women were at 86 percent, with 40 percent having experienced physical intimate partner violence (Gender Links 2014).

<sup>81</sup> Women senators can be appointed by the king upon nomination by the prime minister or can temporarily occupy a seat reserved for chiefs if they have been appointed as "caretaker" chiefs.

Additionally, violence against men is an emerging issue that is underreported due to traditional gender roles in society and social stigma of the perceived weakness of any man who admits to falling victim to a woman (Gender Links 2020). Consultations suggest that the economic and social changes of the past 15 years have altered family dynamics, at times threatening gender power relations that uphold male dominance and contributing to an increase in violence.<sup>82</sup>

Despite such high levels of violence against women in the country, most victims do not report violence to police, or seek medical attention or legal recourse. Only 4 percent of those who were ever partnered and physically abused sought medical attention. Similarly, only 6 percent reported abuse to the police. This underreporting shows that violence is still seen as a private matter (Gender Links 2014).

Traditional practices such as child marriage and “bride kidnapping” or forced marriage are also common in Lesotho and have been persistent over the decades. Lack of harmonization across key legislations and with the customary law has resulted in a lack of clear legal grounding over what constitutes the minimum age for marriage. According to the Marriage Act of 1974, the minimum age of marriage in Lesotho is 21 years. However, section 27 of the same law allows for boys to marry at 18 and girls to marry at 16 with written permission from the minister. Moreover, customary law does not prescribe the minimum age of marriage, and girls as young as 13 years are offered for marriage.<sup>83</sup> UNICEF (2018) estimates that 17 percent of women ages 20–24 were married before the age of 18. In a national review of violence against children, the Ministry of Social Development identified child marriage as a harmful traditional practice that is “often supported by the family and includes offering a daughter for *lobola*; marriage as a result of abduction; and forcing marriage as a resolution following rape—a practice often condoned by some members of communities” (UNICEF 2015). As discussed above in the law and policy section of the report, reforms are in process to the Children’s Protection and Welfare Act of 2011 to include a provision that no child below the age of 18, regardless of gender, can be married. It remains to be determined when a bill will be tabled in parliament.

The prevalence of gender-based violence denotes a high cost to Lesotho society, a cost that increased during the COVID-19 pandemic. A study on the economic costs of violence against women and girls in Lesotho found the cost to be 0.822 percent of GDP (or learning time lost in school).<sup>84</sup> This cost has probably increased since the onset of the COVID-19 pandemic—the Minister of Gender, Youth, Sports, and Recreation and the Lesotho Mounted Police Service reported an increase in the number of cases, mostly of rape, during the initial five-week lockdown period. This does not include many cases that are expected to have been unreported.

Consultations with organizations that work on gender-based violence in Lesotho reveal that during the COVID-19 pandemic, the most prevalent forms of gender-based violence reported to them included sexual abuse within families. Forced marriage and femicide were notably also on the rise.<sup>85</sup> Consultations suggest that teenage girls especially were victims of sexual violence, as many were left at home without parental supervision and were vulnerable due to poverty. This also resulted in several girls falling pregnant, while some were forced into marriage due to prolonged closure of schools, and there were instances of police having to rescue girls from forced marriages.

### Box 6.3 Key Findings Covering Dimensions of Violence against Women and Girls

- Lifetime intimate partner violence was 62 percent of women, while 37 percent of men had perpetrated intimate partner violence.
- Prevalence of lifetime sexual violence was 24 percent.
- 63 percent of women experienced sexual harassment in school, the workplace, or public places.
- Almost 24 percent of women took days off from work due to physical injuries sustained.
- 18 percent reported sustaining injuries and 52 percent went to a health facility with injuries.

Source: Gender Links 2014.

### Box 6.4 COVID-19, Gender-Based Violence, and Child Marriage

Child marriage and gender-based violence increased by approximately 50 percent during the COVID-19 pandemic, as suggested by available data from police records and the nongovernmental organization Women in Law in Southern Africa, which is currently conducting research (from April 2020) in eight districts of Lesotho. The government and civil society organizations have initiated advocacy campaigns through social media to transform such cultural practices, though the effectiveness of these measures is not yet known.

Source: Consultations with Women in Law in Southern Africa, May 2021.

82 Consultations with Women in Law in Southern Africa, May 2021.

83 Consultations with Women in Law in Southern Africa, May 2021.

84 The cost to adult women was around 2.8 percent of GDP; the cost to the public sector or the fiscal cost was 2.3 percent of GDP; the cost to the private sector was 1.9 percent of GDP; and the cost to the whole of society was 5.5 percent of GDP. The elimination of violence against women and girls thus needs actions on different fronts (Commonwealth Secretariat 2020).

85 Consultations with Department of Gender (GBV Shelter), United Nations Population Fund, and Women in Law in Southern Africa.

### Box 6.5 Underfunding in Key Departments

The Department of Gender has consistently received a low budget allocation of less than 1 percent of the total national budget for the past five years, hindering full implementation of its programs (Government of Lesotho 2109b).

Efforts have been made by the government to address gender-based violence, although these have primarily been focused on response to rather than prevention of gender-based violence. For example, in 2011, a National Action Plan to End Gender-Based Violence was developed; initiatives under the plan included setting up gender-based violence networks in 13 councils and conducting trainings for community councillors.<sup>86</sup> Likewise, the government has established the Lapeng one-stop center for gender-based violence survivors in Maseru.<sup>87</sup>

In 2019, the Department of Gender launched the Anti-GBV Coordination Forum as a multi-stakeholder strategy to implement interventions to counteract gender-based violence—a positive step forward in addressing the issue. The forum has identified and put in place a referral pathway, set up a hotline, and developed a gender-based violence monitoring system, which remains to be implemented.<sup>88</sup>

A persisting challenge to gender-based violence interventions is sustainability. The forum, led by the Department of Gender, was able to commence and run its operations with external support. However, it does not have dedicated personnel or an operational budget. The body has reportedly been inactive due to lockdowns during the pandemic and continues to face resource shortages, limiting its intended operations. Further, the Department of Gender relies mostly on donors, development partners, and nongovernmental organizations, which in most cases assist the ministry with earmarked activities, some of which may not be based on the needs as well as the context of Lesotho.

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<sup>86</sup> Police stations also have separate gender-based violence report centers, known as child and gender units, where officers handle gender-based violence cases confidentially and separately from other case files. In addition, there have been awareness-raising campaigns on gender-based violence toward herdboys and men in rural communities, including through radio channel programs, which have been a popular mode of sensitizing communities to gender-based violence. These are only a few of the measures undertaken by the government and civil society organizations to target gender-based violence prevention and response in Lesotho; more details on the various programs and studies on gender-based violence in Lesotho can be found in Commonwealth Secretariat 2020.

<sup>87</sup> Gender Links 2014.

<sup>88</sup> For more details, see appendix E.





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## 7. Taking Action to Bridge Priority Gender Gaps Affecting Women and Girls

Lesotho has made significant progress over the last two decades in building an improved law and policy foundation for enhancing gender equality. While it was only in 2006 that the Legal Capacity of Married Persons Act was passed, removing the minority status of women, Lesotho has since developed a strong policy framework that compares favorably with other countries in the Southern African region. Specifically, it has made positive progress towards addressing gender gaps in human endowments, in addressing constraints to women's ownership and control of assets, and in increasing women's political representation at national and local levels.<sup>89</sup> Nonetheless, women still face major barriers to development and equality. For instance, while women fare better than men with regards to life expectancy and years of schooling, they still fall far behind in terms of economic participation and opportunity and political empowerment (World Economic Forum 2021).<sup>90</sup> Some of the persisting barriers faced by women include patriarchal gender norms, contradictions in customary and statutory law, and constraints in effective implementation of progressive legislation.

The areas for action identified below cut across sectors and the three domains discussed in the assessment. They focus on those priority gender gaps impacting women in the economic opportunities and voice and agency domains, where gender gaps have been persistent and are expected to have widened and become more urgent as a consequence of the COVID-19 pandemic.<sup>91</sup> It is important to also note that these areas for action are not exhaustive or intended to address every gender gap in the country. They are instead those fundamental actions that can be anchored to existing policy commitments that the government has already set out to achieve for itself.<sup>92</sup> They will need to be built on going forward through other interventions targeting markets, households, and institutions (informal and formal), which together influence both gender equality and economic development.

Potential timeframes for implementation of each area of action are suggested and aligned with the government's existing prioritization, where possible. Short-term measures are those that represent quick-win opportunities for the government and build on preexisting efforts and commitments, for example by supporting the enactment of existing bills, adequate resourcing and budgeting of policy commitments, or funding to gather targeted disaggregated data. Medium- to longer-term actions have been identified as those that relate to changing social norms or that require legislative or policy change to instigate the process, to be followed by sufficient resourcing, effective implementation, and targeted interventions. Further, the areas for action described in this chapter have been successfully implemented around the world to close gender gaps.

The following selection criteria informed the narrowing down of the areas for action:

- Gender gaps where reliable data are available. Appendix H elaborates on areas where more research is needed to fill data gaps.
- Gender gaps that widened or are expected to have widened due to the COVID-19 pandemic and hence require particular attention.
- Only those areas for action that could be validated during the consultative process and were informed by the feedback and inputs of stakeholders.
- A focus on issues that are already on the government's reform agenda or initiatives in progress and hence enable quick gains. In this regard, the eight ways forward and

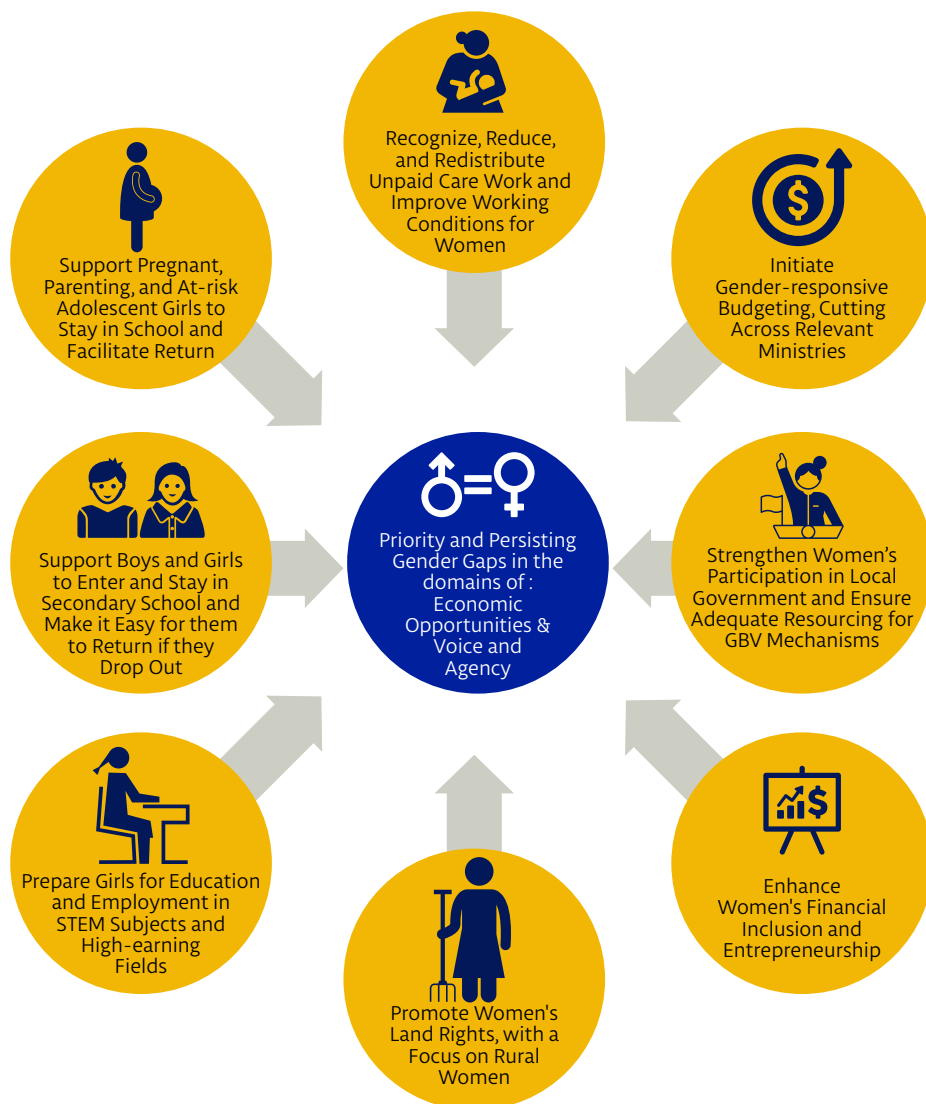
<sup>89</sup> Lesotho Land Administration Authority data on registered leases. For a more detailed overview of progress made in addressing gender gaps in Lesotho and key challenges please refer to appendix C.

<sup>90</sup> See appendix C.




<sup>91</sup> see appendix D.

<sup>92</sup>

**Figure 7.1: Eight Ways Forward and Corresponding Areas of Action to Bridge Priority Gender Gaps**



**These Eight Ways Forward Operationalize the Strategic Objectives of the World Bank Gender Strategy (2016–2023) Towards Narrowing Priority Gender Gaps in Lesotho:**

-  Increase women's participation in labor force, boost access to higher quality jobs, and help increase earnings
-  Increase women's access to key physical and financial assets
-  Improve women's participation in decision making bodies and capacity to influence and reducing exposure to GBV, with a focus on social behavior change programs

### Box 7.1 Holistic Approach to Addressing Deep Rooted Social Norms and Its Potential Impact On Addressing Priority Gender Gaps

Five out of eight of the ways forward discussed below highlight areas of action intended to address deep-rooted social norms that are cross-cutting drivers of gender gaps in Lesotho. These deep-rooted social norms underlie and perpetuate gender gaps in economic opportunity, land ownership, educational outcomes, decision making powers both within and outside the household, and gender inequalities across multiple domains. Changing such norms require a multifaceted approach sustained over the long term to have an impact. The areas of action proposed around social norm and behavior change programming are thus deeply intertwined and taken together have the potential to make significant impacts on bridging priority gender gaps in Lesotho over the medium to longer term

their corresponding areas for action are well aligned with the National Gender and Development Policy (2018–2030) and NSDP II (2018–2023).

Key considerations for success of the areas for action include the following:

- Adequate budgeting and resourcing of actions addressing gender gaps under existing and proposed amendments to laws and policies.
- Financial and human resources to be allocated for the short, medium, and long term, linked to efforts to promote an overall gender budgeting process.
- Integration of specific interventions, particularly in the medium to longer term, into annual and strategic plans of relevant departments to ensure adequate human and financial resource allocations toward their achievement.
- Collection, monitoring, and evaluation of data and information disaggregated by gender.
- Publicly accessible monitoring and tracking of the government’s commitments made with regard to gender-specific targets.
- Greater integration and partnership within and between government ministries, departments, and agencies, as well as with the private sector and civil society.
- Acknowledging challenges faced by men and women and anticipating the potential for male resistance to securing broad-based buy-in, particularly when interventions are targeted exclusively to overcoming inequalities faced by women.

## 7.1. Recognize, Reduce, and Redistribute Unpaid Care Work and Improve Working Conditions for Women

A cross-cutting issue relevant to narrowing gender gaps in Lesotho is the unequal responsibility for childcare and household care, which is primarily borne by women. This in turn is associated with social norms that discourage girls from pursuing certain career paths and hinder the hiring or election of women to top decision-making positions. Shifting some of the burden of childcare and household work is also important to free up women’s time for paid employment and to reduce the double shift of employment and household labor. Most programs, be they cash transfers or public works projects, tend to focus solely on income support rather than on supporting families more broadly, and have particularly large blind spots regarding the role of fathers in children’s development. Access to affordable childcare could also help teenage mothers stay in and return to schools, as lack of financial support is a key driver for teenage mothers not returning to school (Willan 2013). In addition, improving the working conditions for women, in particular as it relates to addressing the wage gap and strengthening protections for women as it relates to paid maternity leave, would encourage women’s entry into the workforce..

- **Links to Lesotho Gender and Development Policy (2018–2030).** Strategic action 4.4.4 includes a focus on redistributing and remunerating unpaid care work and providing decent work and a living wage in both the informal and formal sectors, as well as reviewing, amending, and implementing legislation and policy to provide better protection and working conditions for women and vulnerable groups.
- **Links to NSDP II (2018–2023).** NSDP II acknowledges underlying challenges emanating from social norms and practices that hinder equal participation of women and their access to economic opportunities. Intermediate outcome 4.8, on stable labor markets, includes actions on promoting social security for all workers and enforcing international labor standards to which Lesotho is a signatory, as well

as promoting efficient maternity and paternity protection, maternal health, and women's rights at work, in line with the International Labour Organization (ILO) Maternity Protection Convention, 2000 (No. 183), and other relevant Conventions.

### Areas for action

- a) *Develop programs in partnership with civil society organizations and the private sector to support shifting of social norms related to childcare and other unpaid care work (medium to longer term)*

The current pandemic presents a window of opportunity to encourage a lasting shift in social norms toward a more equitable division of household childcare responsibilities. However, women's economic empowerment is not possible without men being involved in caregiving functions, and both men and women engaging in collaborative decision-making at the household level (Barker et al. 2014). This can be achieved through the following:

- Messaging on social norms should focus on challenging norms related to “women's work” and “men's work” within and outside the household, including norms regarding childcare. Examples of programs that have successfully managed such behavior changes include the MenCare Childcare and Protection Programme in South Africa<sup>93</sup> and the Bandedereho Couples Intervention in Rwanda.<sup>94</sup>
  - Gender-transformative workshops, mass and social media campaigns, and school-based curricula geared toward increasing the involvement of men and boys in unpaid care work could shift norms (Achyut et al. 2016; Newth 2016; Doyle et al. 2018; Harper et al. 2020). Evidence also suggests that religious and community leaders who model positive examples of sharing household tasks can function as “care champions” to motivate more men and boys to participate in unpaid care work, including childcare (Karimli et al. 2016; Newth 2016; Grantham et al 2021).
- b) *Provide paid and gender-equitable parental leave to support improved family structures and norms (medium to longer term)*
- Policies for provision of paternity leave should be developed, supported through behavior change and awareness-raising programs. Leave for fathers can significantly contribute to changing social norms regarding care work and to the redistribution of domestic labor between men and women (MenCare 2016; Shand 2018). When fathers take leave, mothers benefit in the workforce and in the home. In the workforce they benefit by being able to keep their jobs, ensure their employability, enhance their prospects in the labor market,<sup>95</sup> and maintain their income levels.<sup>96</sup> At home, mothers benefit from a decreased care work and domestic burden, and improved health and well-being (Shand 2018). Children also benefit by having

93 The MenCare Childcare and Protection Programme is focused on improving the capacity of social service professionals to support involved fatherhood. In Phase 1 of the program, a twelve-session intervention with state social service professionals was conducted, focusing on the impact of fathers, pregnancy, birth, family planning, caregiving, and gender, among other topics. Phase 2 of the program was a five-session intervention with the National Association of Child and Youth Care Workers, male beneficiaries, and their partners, with a focus on the role and legacy of a father, clarification of gender values, violence prevention, and caregiving activities. The program aimed to improve participants' attitudes to the sharing of domestic and caregiving work. In the post-intervention survey, both men and women showed improved attitudes to and awareness of the importance of gender equality in caregiving, with positive changes in the gender distribution of household chores (van den Berg and Khoza 2019).

94 The Bandedereho Couples Intervention in Rwanda has had significant positive impacts on increasing men's participation in childcare and household tasks. The intervention engages expectant fathers and fathers of children age under 5, along with their partners, in group education sessions designed to promote men's engagement in maternal, newborn, and child health; family planning; caregiving; and preventing domestic violence. The results showed an approximately 60 percent increase in men's time per day spent on childcare and household tasks. It also resulted in decreased incidence of domestic violence, increased male participation in maternal health care (for example, attending antenatal visits), reduced use of physical punishment against children, and reduced male dominance over household decision-making (Laura and John Arnold Foundation 2019).

95 Research shows that women's employment in private firms is significantly higher in countries that mandate paternity leave (Amin, Islam, and Sakhonchik 2016).

96 In Sweden, for example, research found that for every month a father took paternity leave, the mother's income increased by nearly 7 percent—more income than she lost by taking maternity leave (Johannsson 2010).



increased parental capital available to them,<sup>97</sup> thus contributing to their development (O'Brien 2009). Men also benefit from improved mental health and well-being as a result of involvement in childcare (Ricardo 2014).

- Parental leave (for both mothers and fathers) should be combined with other structural solutions (for example, childcare, and national legislation or policy).<sup>98</sup> Evidence shows that well-designed parental leave regulations, accompanied by the availability of quality childcare and early childhood education, can expand uptake by fathers and lead to a more equitable sharing of home and market work between parents (Patnaik 2019; van den Berg and Khoza 2019; MenCare 2016).
- c) *Improve affordability and accessibility of childcare options for women in the low income strata, with a focus on free and low-cost options (medium to longer term)*
- Provision should be made for low-cost or state-subsidized childcare centers to support women's labor force participation. In Brazil, state-subsidized childcare centers have been provided since the 1960s, and have proved to be very important for informal workers. Similarly, in Mexico, the Estancias Infantiles, launched in 2007, provides daycare support for children from 0 to 3 years of age from poor families. The program is focused on childcare to support women's ability to look for and take up income-earning opportunities (Alfers 2015, 2016).
  - Trainings and employment opportunities should be provided for unemployed women in early childhood education, childcare and other care-related services. South Africa's Expanded Public Works Programme, launched in 2004, has adopted an innovative approach of providing training to unemployed women in an array of care-related social services to enhance their skills and employability.<sup>99</sup>
  - Incentives and assistance should be provided to parents to help cover the cost of childcare (IFC 2019).
- d) *Strengthen regulatory and enforcement procedures in line with international commitments to improve working conditions for women workers, beginning with informal workers and workers in the manufacturing and household sectors (medium to longer term)*
- For informal women workers, enforcement of minimum working conditions should be promoted, informed by Lesotho's international commitments on labor, with a focus on assessing compliance with the ILO Maternity Protection Convention.
  - For women in manufacturing and household sectors, updates to service conditions and labor laws should include protection for temporary workers as well as extending duration of paid maternity leave beyond the minimum of six weeks.
- e) *Promote pay transparency and equal pay for equal work for both men and women (medium to longer term)*
- Research also shows that pay transparency can raise the hiring rates when workers have sufficient bargaining power and can raise employer profits (Cullen and Pakzad-Hurson 2020). Mandating pay transparency among employers could compel employers to pay workers fairly and equally (Bosch and Barit 2020). Simultaneously, this will require supporting individual workers to gain information on wages, thus sparking public pressure for pay equality (Hammond et al. 2020).

<sup>97</sup> Fathers who take up parental leave, especially in the two weeks after childbirth, are more likely to be involved with their young children (ILO 2014; Tamm 2018; Farré 2016).

<sup>98</sup> MenCare (2016) suggests 10 criteria for parental leave policies to ensure they enhance gender equality: equal for women and men; non-transferable between parents; paid according to each parent's salary; adequate in length for each parent, with a minimum of 16 weeks each; offered with job protection; encouraged and incentivized; inclusive for workers of all kinds; combined with subsidized, high-quality childhood education and care and other policies to ensure equity in caregiving, particularly in low-income settings; supportive of diverse caregivers and caregiving; and enshrined and enforced in the national laws and international agreements (MenCare 2016).

<sup>99</sup> The South African government reports that as of 2015, nearly 20,000 home-based care practitioners were deployed and trained, and almost 185,000 children were benefiting from teaching assistants provided through the program (Government of South Africa 2013, 2015).

## 7.2. Support Pregnant, Parenting, and At-Risk Adolescent Girls to Stay in School and Facilitate Return

There has been an increasing trend of high fertility rates among teenage girls in Lesotho, affecting their ability to stay in school and their future employment opportunities. While the Children's Protection and Welfare Act, No. 7 of 2011, requires that all educational institutions permit girls to continue their education or resume their education following pregnancy and childbirth, the lack of policies that stipulate the process to be followed by schools to secure girls' continuation after pregnancy or childbirth often results in girls being expelled from school or not being permitted to return. Moreover, many schools in Lesotho are religious and lean toward the expulsion of pregnant girls, particularly impacting rural girls and those in remote areas (UNICEF 2021).

- **Links to Lesotho Gender and Development Policy (2018–2030).** The policy acknowledges the high rates of adolescent and teenage pregnancy.
- **Links to NSDP II (2018–2023).** The plan acknowledges that inequitable gender norms persist and impact girls' and boys' education. Accordingly, it notes the need to tackle the remaining underlying challenges caused by unequal social norms and practices.

### Areas for action

- Support the finalization, passing into law, and implementation of the Prevention and Management of Learner Pregnancy Policy (short term)*
  - Led by the Ministry of Education and Training, the Prevention and Management of Learner Pregnancy Policy, currently under development, seeks to address the central elements relating to the prevention of pregnancy at school, including comprehensive sexuality education, adolescent-friendly health services, awareness of contraceptive services, and HIV prevention (UNFPA 2021).<sup>100</sup>
- Expedite ongoing efforts to reform the Children's Protection and Welfare Act (2011) to include a provision that a child cannot be married below the age of 18 years (short term)*
  - Reform of the Children's Protection and Welfare Act will have a positive impact on the ability of girls to complete their schooling and will reduce the likelihood of early marriage and early pregnancy, thus mitigating the negative impact of these on women's employment outcomes.
- Promote programs for behavior and social norm change for both boys and girls with a focus on attitude change programming for boys as a counterpoint to the influence of patriarchal values endorsing child marriage and refusal to use contraception, and building girls' personal aspirations<sup>101</sup> (medium to longer term)*
  - A range of simultaneous supportive initiatives can be introduced targeting both boys and girls, such as community conversations on early marriage and

<sup>100</sup>The effectiveness of this policy can be better guaranteed with associated strong legislation coupled with efforts to leverage or partner existing government initiatives with United Nations organizations and local and international nongovernmental organizations. To help social behaviors and norms catch up with progressive legislation, multiple interventions across all levels of society will need to be sustained over the long term.

<sup>101</sup>For instance, a program in Ethiopia called Berhane Hewan ("Light for Eve") included livelihood training for out-of-school girls and community conversations on early marriage and reproductive health, associated with cash transfers to families conditional on their daughters remaining unmarried and in school for the duration of the program. It also organized social mobilization of girls led by female mentors and provision of school supplies. After two years, girls were three times more likely to be in school and only one tenth as likely to be married compared to the control group (Erukhar and Muthengi 2009).

reproductive health,<sup>102</sup> unconditional cash transfers for girls,<sup>103</sup> building more support centers or safe havens for pregnant teenage girls and mothers, and enhancing girls' personal aspirations.<sup>104</sup>

- Implementing holistic programs will help to support building both technical and parenting skills of teenage mothers and fathers in order to keep them in school.<sup>105</sup>
- Targeted attitude change programming for boys and men will be beneficial as a counterpoint to the heavy influence of patriarchal values that result in men endorsing child marriage, refusing to use contraception, being perpetrators of gender-based violence, and engaging in intergenerational sex.<sup>106</sup>
- Schools should be supported with programs that combine good sex education with life skills and career development training and activities so that both boys and girls see the benefits of school, receive the necessary endorsement to remain in school, and avoid risking teenage pregnancy.<sup>107</sup> Research from Ecuador shows that when girls have limited life options, the social and economic costs of teenage pregnancy are perceived as low.
- Promotion of life skills and raising of expectations through career development and activities aimed at enhancing girls' and boys' aspirations and agency may reduce teenage pregnancies, though further research is recommended (Azevedo et al. 2012).

### 7.3. Support Boys and Girls to Enter and Stay in Secondary School and Make It Easy for Them to Return if They Drop Out

In Lesotho, both boys and girls drop out of education in high numbers, with the result that many adults have low education levels, and the transition from school to employment is more difficult. Rigid norms of masculinity and femininity encourage child marriage, adolescent pregnancy, and prioritization of housework over schooling for girls. For boys, these same norms make it more likely for them to drop out after initiation ceremonies and to provide financially for their families. The areas for action under this opportunity relate to supporting social norm change for both boys and girls and reforms to the initiation school system. The reforms discussed here are included in the former Initiation School Bill of 2017, which was scrapped.

<sup>102</sup> In terms of community conversations on early marriage and reproductive health education, existing research indicates that when girls see the benefits of school, are supported to remain in school, and are provided with good sex education and life skills, there is a significant reduction in the incidence of teenage pregnancy (Azevedo et al. 2012).

<sup>103</sup> In Malawi, under the Zomba program, girls receive a stipend of \$1 to \$5 per month over two years if their attendance rate is above 80 percent. This program has been efficient in reducing risk of pregnancy and early marriage (Baird, McIntosh, and Özler 2011). In Pakistan, the Punjab Female School Stipend Program verified an attendance rate of at least 80 percent in government schools between grade 6 and grade 8. Girls then receive a stipend of \$3.50 per month. The program was shown to have a persistent positive impact on girls' marriage and pregnancy five years into implementation: marriage was delayed by an average of 1.4 years, which was associated with fewer average births by age 19 (Baez and Camacho 2011).

<sup>104</sup> Research from India found that interactive classroom discussions about gender roles and gender discrimination positively impacted adolescents' gender attitudes, aspirations, and behavior, and strengthened girls' belief that they would attain tertiary education. Accordingly, the Taaron ki Toli ("Legion of Stars") program focused on harmful gender attitudes and cultural norms for 7th to 10th graders through classroom discussions and a 45-minute session held every three weeks for 2.5 school years. The intervention was designed and implemented by a nonprofit organization with extensive experience in gender equality programming, with the support of the provincial government. The intervention was found to affect attitudes and behavior, making them more gender balanced in ways that endured years after the intervention (Dhar, Jain, and Jayachandran 2020).

<sup>105</sup> For instance, the "Still I Rise" initiative was launched in 2015 in Guyana by the Guyana Responsible Parenthood Association. The project supports pregnant, parenting, and at-risk adolescent girls who have difficulties in pursuing their education and career goals due to pregnancy, gender-based violence, and related issues. It included a holistic two-year program for adolescent girls that includes life skills classes (on topics such as nutrition and money management), job skills training, resumé building, facilitating girls' self-sufficiency, and building parenting capacity, including father involvement and psychosocial support for girls, teenage fathers, and the families of girls (Ministry of Education of Guyana and UNICEF 2018).

<sup>106</sup> School-based attitude change programs show larger shifts in behavior for boys than girls, which is linked to gendered societal power patterns whereby boys are generally more able to act on their views, which can result in attitudinal change when these views are gender progressive (Dhar, Jain, and Jayachandran 2020).

<sup>107</sup> Azevedo et al. (2012) found that young parents indicated an inability to foresee the consequences of parenthood; thus it may be helpful for youths to be educated about the realities and care responsibilities of early parenthood.

- **Links to Lesotho Gender and Development Policy (2018–2030).** The policy notes that the enrollment of boys into herding livestock affects their education as they drop out of formal schooling. Policy objective 4.3.3 is to increase the access of women, men, girls, boys, and other marginalized groups to gender-responsive quality education and training programs to build a productive workforce that can sustain the economy. This includes a commitment to build and strengthen the leadership skills of teachers, children, and youths to equip them with necessary life skills that will lead to gender-responsive attitudes and behavior change.
- **Links to NSDP II (2018–2023).** In terms of challenges and threats, NSDP II acknowledges that inequitable gender norms persist and impact girls' and boys' education. It notes that Lesotho must tackle the remaining underlying challenges caused by unequal social norms and practices.

### Areas for action

- Promote school-based programs for social norm change with a focus on changing norms relating to boys' and girls' roles in society (medium to longer term)*
  - A focus on social norm change is a critical step in preventing school dropout in the longer term. For instance, school-based attitude change programs show larger
  - shifts in behavior for boys than girls as a result of gendered societal power patterns whereby boys are generally more able to act on their views, which can result in attitudinal change when these views are gender progressive (Dhar, Jain, and Jayachandran 2020).
- Target initiation schools to support reintegration of boys into the formal school system after initiation (medium to longer term)*
  - Targeting initiation schools for training and qualification programs for teachers at these schools would facilitate the reintegration of boys into the formal school system after initiation.
  - Support should be given to reform initiatives that regulate initiation schools for boys, such as limiting attendance to school holidays, and considering appropriate age limits as feasible.

## 7.4. Prepare Girls for Education and Employment in High-Earning Fields

Despite educational advancements, women's labor force participation is lower than men's, and women also earn significantly less than their male counterparts. Women's selection of lower-paid jobs and their limited advancement to senior positions are the consequence of various factors, including patriarchy, culture, sociopolitical conditions, and a working environment that reinforces women's unequal position in society. Gender stereotyping is another factor that affects women's career progression and also influences career choices, whereby girls tend to steer away from studying subjects that are perceived as belonging to the male domain. This is further compounded by the lack of abundant female role models in higher education or technical, high-skilled fields (UN Women 2021). These social norms are reinforced by legal, sociocultural, and practical barriers at workplaces that restrict women's entry into, retention in, and return to the workforce.<sup>108</sup> Reforms needed include amending laws and policies to ensure paid and gen-

<sup>108</sup> The lack of affordable and easily accessible childcare in both the public and private sectors serves as an added disincentive to women's ability to progress in their careers. Mothers are not guaranteed an equivalent position after taking maternity leave; the government does not provide subsidized childcare services; payments for childcare are not tax deductible; and employers are not required to provide leave for employees to care for sick relatives. In terms of getting a job, there is no mandated paid parental leave. While there is legally mandated paid maternity leave, it is less than 14 weeks.

## Box 7.2 Post-COVID-19 Support

UN Women notes in an assessment on gender equality and women's empowerment in East and Southern Africa that in the post-COVID-19 recovery period greater support is required in the area of skills development and STEM in order to connect women to job opportunities and in turn reduce inequality and ensure a sustained recovery (UN Women 2021).

der-equitable parental leave (for mothers and fathers) as well as policies enabling pay transparency and equal pay for equal work for both men and women. With the field of science, technology, engineering, and mathematics (STEM) growing at a faster rate than others, this area of action focuses on STEM when discussing high-earning fields and seeks to build on ongoing work by nongovernmental organizations and other development partners in the country, which can be scaled up to better prepare girls for education and employment in high-earning fields.

- **Links to Lesotho Gender and Development Policy (2018–2030).** Strategic action 4.3.4 includes a focus on establishing mechanisms to encourage women and girls to study STEM subjects and to build and strengthen the skills of teachers, children, and youths to equip them with necessary life skills that will lead to gender-responsive attitudes and behavior change. It acknowledges the need for gender-sensitive career guidance at all levels of education.
- **Links to NSDP II (2018–2023).** Intermediate outcome 1.8, on improved use of information and communication technology, includes a strategic objective to increase access to information on science and technology-based careers and support training of scientists and engineers, in particular women and girls.

### Areas for action

- Increase women's access to internships and programs for young professionals (matching at least 50 percent women applicants) (short term)*
  - This action area has been identified as a quick win to build on existing government programs to promote employment that are under way, such as the (i) placement program of the Department of Youth; and the (ii) Public Service Commission placement program. These programs do not have a target ensuring equal numbers of women and men are placed, and data on how many women versus men have been placed through these programs, was not available either.
  - Research shows that increasing women's job exposure and work experience through internships and programs for young professionals can facilitate women's entry into male-dominated fields, giving them a "foot in the door" and providing them with much-needed support (Schomer and Hammond 2020; Semi.Org and Accenture 2020).
- Beginning at the primary school level, challenge social norms that hinder girl's uptake of and success in subjects leading to higher-earning professions (medium to longer term)<sup>109</sup>*
  - Mutually reinforcing initiatives targeting (a) educational institutions and teachers<sup>110</sup> and (b) students and parents<sup>111</sup> need to be introduced as the first step of the

109 Cultivating an interest in STEM studies must begin as young as possible. This means addressing gendered norms of subject choice and study, which requires schools to be proactive in exposing young girls to technical capabilities. When teachers, parents, and learners assume that girls are not suited to STEM studies or careers, or assume that boys are better performers in these subjects, they may deliberately or unconsciously discourage girls from taking these subjects. Similarly, when parents or teachers believe that girls will need to choose careers that can accommodate their care responsibilities, they may encourage girls to study in fields that are not linked to the job market, or that tend to have shorter working hours or more flexibility. The subjects that girls choose in school either limit or enable their ability to study STEM fields at university and take up STEM careers (PWC 2018; Hammond et al. 2020; Muñoz-Boudet and Revenga 2017).

110 Educational institutions and teachers can play a significant role in encouraging girls to take STEM subjects and addressing teachers' gender bias through training. Research in Zimbabwe, for instance, shows that teachers need more training in gender responsiveness to avoid gender bias in evaluating students, and there is a need for positive female role models to transform gendered expectations (Tikly et al. 2018). In Niger, the CapED program of the United Nations Educational, Scientific and Cultural Organization (UNESCO) launched a pilot in 15 secondary schools training teachers and principals in gender-responsive pedagogy in STEM subjects. Girls and boys were encouraged to sit together in class, and teachers reported being more aware of the harm caused by gender bias. The initiative has since been expanded to new schools and regions, involving 9,500 teachers and education staff. This program also supported Uganda to develop national guidelines for gender-responsive pedagogy, which includes strategies to ensure that girls and boys participate fully in STEM-related subjects (UNICEF 2020).

111 Parents' growth mindset also has a positive influence on girls' uptake of STEM. Data on countries of the Organisation for Economic Co-operation and Development (OECD) show that parents are more likely to expect their sons to work in STEM areas than their daughters, even though they perform equally well in mathematics at age 15. This suggests that confidence building in classrooms and ensuring that schools and teachers involve parents in encouraging a growth mindset (in addition to providing quality teaching) could have a positive impact on girls' performance and uptake of STEM. Where learners' parents are in STEM fields, this role modeling also has a positive influence on achievement in mathematics (Solotaroff et al. 2019; Alibhai et al. 2017; Campos et al. 2015; Goldstein, Gonzalez Martinez, and Papineni 2019; Herrmann et al. 2016; OECD 2015; Hammond et al. 2020; Cheng, Kopotic, and Zamarro 2017).



broader agenda of preparing and supporting girls and women to enter and stay in high-earning or frontier skills sectors. The foundational step discussed here is the need to better prepare girls to be qualified and have the confidence and aspiration to enter high-earning fields, while also ensuring the supply of qualified applicants to public and private sector jobs in these fields.

- c) *Encourage targeted peer group support and role modeling of women in STEM (medium to longer term)*
- Examples of private sector and nongovernmental organization initiatives in Lesotho to introduce girls into STEM fields include (a) Letšeng Diamonds (a mining company) offering scholarships to almost equal numbers of boys and girls to study in STEM fields; and (b) the Girls Coding Academy and BasaliTech giving young women and girls opportunities in STEM training, mentoring, and innovation knowledge and skills. These initiatives need to be provided with additional support and also scaled up.
- d) *Introduce employment targets for women in STEM (medium to longer term)*
- Quotas and employment targets can increase the likelihood of counter-stereotypical people in positions of leadership (PWC 2018), increase representation, and encourage change in both men's and women's beliefs about what a leader looks like (Burger et al. 2020). Research shows that where sectors are resistant to change, employment targets and quotas can help to shift conditions for women in those fields.

## 7.5. Promote Women's Land's Rights, with a Focus on Rural Women

In Lesotho, women tend to own smaller and less productive plots of land and have little decision-making power to mobilize land as a productive asset. The asymmetry in inheritance systems, the duality of the law (customary and statutory law), and patriarchal norms that do not recognize women's rights to own and inherit land, together have a negative impact on women's ownership and control over land and other assets. In addition, a lack of data on access to women's rights under the Land Act of 2010 and other legislation means that women lose out on the legal benefits available to them. Further, discrimination against women within the land governance and administration structures, is common and widespread.

- **Links to Lesotho Gender and Development Policy (2018–2030).** Strategic action 4.4.4 includes a focus on promoting women's and girls' access to and control over productive resources, and strategic action 4.1.4 includes a commitment to harmonize customary and civil laws, and to amend and repeal all the discriminatory provisions of the 1993 Constitution of Lesotho, including inheritance laws.
- **Links to NSDP II (2018–2023).** Intermediate outcome GAE1.3<sup>112</sup>—which aims to achieve a stable and efficient financial sector—includes a strategic objective to reform inheritance laws to allow women and girls access to productive assets and resources that can be used to access secure funding.

### Areas for action

- a) *Strengthen the capacity and knowledge of community councils, chiefs, and rural women on matters related to land rights under the Land Act 2010 (short term)*

112 GAE components of NSDP II deal with growth accelerators and enablers.

### Box 7.3 Raising Awareness of Women's Land Rights

In addition to the Land Administration Authority, nongovernment organizations have been active in certain parts of the country in raising awareness and training paralegals and traditional leaders on women's land rights and inheritance rights to land (Habitat for Humanity 2019). These efforts are fragmented and not conducted on an ongoing basis. Under the leadership of the government, these efforts can be scaled up across the country, with a focus on key lagging areas.

### Box 7.4 Helping Social Norms Catch Up with Legal Rights

Awareness and understanding of women's rights and how to enforce them, coupled with investing in the capacity of local authorities, can play a crucial role in helping social norms catch up with the rights reflected in the Land Act of 2010.

- Sustainable capacity-building programs for chiefs and community councils should be scaled up and strengthened for better realization of the intended outcomes for women under the Land Act of 2010 by (a) ensuring continuous training for the chiefs and community councils; and (b) making technical resource persons available to each council to assist when needed and advise on technical matters.<sup>113</sup> As it currently stands, community councils have limited capacity to accurately and consistently interpret and implement the gender related provisions of the Land Act of 2010. Moreover, the trainings on the Land Act that have been conducted by the Ministry of Local Government (MoLG) along with other development partners and non-government organizations, are ad-hoc and held centrally, being limited therefore in their reach and impact. These measures would go a long way in ensuring the intended outcomes for women under the Land Act 2010, are better realized. Interventions would need to be adapted to the specific context of the districts and towns in which the trainings are being rolled out.
- Revitalize and scale up awareness-raising programs on the Land Act of 2010 to increase knowledge and awareness of land rights targeting rural women, with a focus on lagging areas (underserved and remote areas). There is a significant knowledge gap on the law, policies and processes regarding land for women and that local authorities and the Land Administration Authority focus more on procedures than on raising awareness of women's rights under the Land Act of 2010.<sup>114</sup> Early efforts on raising awareness under the Millennium Challenge Corporation land project have thus not been sustained.<sup>115</sup>
  - b) *Support and expedite ongoing reforms (short term)*
    - Support and expedite ongoing inheritance reforms led by the Lesotho Law Reform Commission to abolish discrimination against women. Legal dualism on issues of inheritance and succession to property has led to uncertainty and forum shopping which continues to have negative impacts on women's property rights, including land (Masekese Maema 2021). The Law Reform Commission is working towards codification of a single piece of legislation, dealing with issues of inheritance, succession, wills, and administration of estates. It produced a report in November 2021 reviewing current legislations and consulting with the public to make recommendations to inform the next stage of development of drafting instructions towards the enactment of a consolidated version of the law.
    - Support should be given to other critical reforms that seek to address discrimination against women. Some of the key critical reforms include: (a) establishing a national land registry that includes rural land and digitization of land records from community councils;<sup>116</sup> (b) reforms to management of land disputes relating to inheritance, such that women are able to access justice. Currently, decisions of the Chiefs and the community councils who preside over land and inheritance disputes at the community level are not binding. While women can take these decisions to court, research finds that they struggle to mobilize the financial resources to take their issues to court; (c) regulation of land markets to include the development of clear processes of transacting to ensure that the land markets operate competitively and transparently. This gap in the land sale process in Lesotho, which has led to exploitative land transactions and increasing land inequality, particularly impacts women and female-headed households. Women often are not capacitated

<sup>113</sup> For instance, Habitat for Humanity and the Federation of Women Lawyers trained paralegals to raise awareness of the laws relating to land and negative consequences of property grabbing. The introduction of paralegals was welcomed, and chiefs reported an increase in the incidence of reporting of inheritance-related cases. Chiefs also commended the paralegals' work in disseminating information about the new laws as it made it easier for them to mediate inheritance-related cases using the new law (Masekese Maema 2021).

<sup>114</sup> Leduka, Ntaote, and Takalimane 2018.

<sup>115</sup> Leduka et al., 2018

<sup>116</sup> Consultations with Millennium Challenge Corporation.

with the knowledge of the true value of their land and the skills to negotiate a fair sale, or with the knowledge of how to unlock the economic opportunity of their land as an alternative to selling their property.

## 7.6. Enhance Women's Financial Inclusion and Entrepreneurship

Women in Lesotho face constraints on accessing formal credit, with inequitable and low rates of access to credit histories and a high rejection rate. As a result, women-owned businesses tend to start and stay small, with their lack of access to collateral resulting in overreliance on informal sources of finance and credit. In addition, negative stereotypes about women as entrepreneurs affect their access to entrepreneurship opportunities. These barriers are particularly pronounced for rural women business owners. Women in Lesotho also require access to information and skills development, and there is a need for reform in the mechanisms for evaluating women's bankability and creditworthiness.

- **Links to Lesotho Gender and Development Policy (2018–2030).** Strategic action 4.4.4 includes introduction of a quota that allocates 30 percent access to procurement opportunities for women in business, including all other vulnerable groups; monitoring impact of loan opportunities to women; and promoting small enterprise skills for women and girls. Strategic action 4.12.4 includes commitments to develop programs aimed at education and training on a variety of information and communication technologies for women, with special emphasis on female entrepreneurs in marginalized areas.
- **Links to NSDP II (2018–2023).** The plan acknowledges the shortage of managerial skills and low entrepreneurship capacity, and the need to promote education in those areas, including TVET.

### Areas for action

- Amend and enact the Public Procurement Bill to put in place a 30 percent quota for public procurement for women-owned businesses in alignment with the Gender and Development Policy 2018–2030 (short term)*
  - The Public Procurement Bill<sup>117</sup> was presented to the parliament in April 2021. A key next step, as also proposed by the Basotho Women's Parliamentary Caucus, is to support amendment of the bill to align with the commitment set out in the Gender and Development Policy 2018–2030 (strategic action 4.4.4) to allocate 30 percent access to procurement opportunities for women in business, including all other vulnerable groups.
- Address barriers to entry and growth faced by women entrepreneurs, with a focus on lagging rural areas, to inform future public and private sector interventions (short term)*
  - Assessments should be conducted to examine (a) barriers to entry and growth faced by women entrepreneurs; and (b) the contribution of government and private sector initiatives to the development of women's entrepreneurship. The last in-depth assessment that examined the constraints and barriers experienced by

<sup>117</sup> The Public Procurement Policy 2018, section 7(14), prioritizes the empowerment of disadvantaged groups, but there is no specific quota set for women.

women entrepreneurs was conducted in 2011,<sup>118</sup> prior to the uptake of mobile banking and the implementation of the Land Act of 2010, which opened the door for more women to use land as collateral for potential entrepreneurship opportunities (Langweya, Mabuza, and Tshabalala 2011). The landscape has since changed dramatically,<sup>119</sup> accompanied by an evolution in the barriers and constraints themselves. A focus on identifying barriers to entry and growth for women in lagging rural areas alongside an assessment of how government and other select private sector initiatives have contributed to the landscape of women entrepreneurs in Lesotho, would play a key role in informing future programs. The findings of such assessments can also serve to inform meaningful implementation of a future Micro, Small & Medium Enterprises (MSME) Policy. In fact, the Draft MSME Policy (2021) contains important policy prescriptions to ensure equal economic opportunities for women and other disadvantaged groups' in MSME activities,<sup>120</sup> as well as future employment and entrepreneurship programs.

c) *Provide comprehensive gender-focused business development services, particularly in rural areas (medium to longer term)*

Business development services in this action area are understood to embrace a wide range of services, including skills training, mentorship, connecting to networks, and accessing markets.<sup>121</sup>

- Granular data on barriers and constraints that women face, particularly in rural areas, would help to inform the specific design of services needed. Any program on business development services should be informed by an updated assessment of the barriers faced by women to access finance and markets, given the transformed landscape in the country with the uptake of mobile banking and other market technologies.
- Women-centric business development services should be provided in the lagging rural areas of the country, where women are most excluded from the economy. These services should target vulnerable groups who may be more challenged by the environment and cost of mainstream business development services by placing emphasis on aspects such as confidence, mastery of business strategy and pricing, and community development.

d) *Develop new mechanisms for evaluating women's creditworthiness (medium to longer term)*

- Devising and adapting tools to build individuals' credit history, for example, by enabling reporting from various sources to the credit reporting system in the country (including payment history from providers of basic utilities such as electricity, water, and telecommunications), could unlock women's participation in formal credit,

118 While there have been more recent assessments of the entrepreneurship ecosystem, such as World Bank 2020 on unlocking the potential of Basotho youths, which examines 12 recent programs implemented in Lesotho, these do not specifically analyze how women fare.

119 For instance, with the uptake of mobile banking, rural women have experienced greater levels of financial inclusion. However, rural women remain largely excluded from government and private sector programs and initiatives that are more relevant to an urban population who are more likely to meet the minimum requirements of such programs (as discussed above in section 5.3, on women in entrepreneurship).

120 The draft policy notes that the government of Lesotho will identify factors inhibiting women and other disadvantaged groups from going into business and design programs to address those factors; build capacity of MSME service providers to design special programs for women, youths, and disadvantaged groups; facilitate training with a minimum 50 percent allocation of resources directed toward entrepreneurs who are women, youths, and persons with disabilities; develop business incubators to facilitate innovation, with at least 30 percent occupation by women-owned businesses; design and support loan products specifically targeting women, youths, and other marginalized groups; build capacity for implemented collection and monitoring of gender- and sex-disaggregated data with respect to participation in the MSME sector; and provide national recognition to women entrepreneurs to facilitate the mentorship role envisioned in the existing MSME policy.

121 For instance, recent global research includes evidence on the relatively greater effectiveness of noncognitive skills training for women entrepreneurs versus standard business training (Campos and Gassier 2017).

as well as represent a source of information on which financial service providers could rely when underwriting loans.

- e) *Build the capacity of both bank and nonbank financial institutions, including microfinance institutions, to address discrimination and to support the effective implementation of laws (medium to longer term)*
- The capacity of member-based financial institutions (MBFIs) should be strengthened and their gender awareness raised to enable them to better serve financially vulnerable groups, including women.<sup>122</sup>
  - Discussions on changes in social norms could be organized through microfinance associations, involving their members (men and women) in the local community. Social norms can be effectively changed at the household and community levels by organizing discussions about relations in the household, the division of labor, and access to and control of resources, using microfinance associations as mediums. The Kabarole Research and Resource Center, Uganda, was instrumental in developing the participatory action learning system methodology, and mainstreamed gender perspectives into its sustainable livelihood trainings for men and women and sustainable agriculture trainings for microfinance association members (World Bank, FAO, and IFAD 2009).

## 7.7. Strengthen Women's Participation in Local Government and Resource the Mechanisms on Gender-Based Violence

Efforts to enhance women's voice and agency by increasing their representation in government and addressing gender-based violence need to be more sustained. Progress on increasing women's representation in government has stalled, and there are formal and informal barriers to women's descriptive and substantive representation at the local government level.<sup>123</sup> Further, inadequate law and policy framework, lack of institutional and legislative coordination, and poor allocation of resources, have impeded the government's response to violence, and social norms that tolerate gender-based violence make its incidence more likely.

- **Links to Lesotho Gender and Development Policy (2018–2030).** Under priority area 2, the government of Lesotho commits to promote equal participation of women in governance structures and decision-making, including at political party level, through affirmative action (including a legislated quota system). Strategic actions under priority area 7, on reducing and preventing gender-based violence, include enacting legislation on gender equality and domestic violence, and strengthening multistakeholder coordination and collaboration for the prevention of and response to gender-based violence.

122 As an example, the Rural Financial Intermediation Program in Lesotho aimed to enhance access of the rural poor to financial services on a sustainable basis through four pillars: (a) building the capacity of governmental implementing partners, which in turn would build the capacity of MBFIs as member-owned local financial intermediaries and enable them to accumulate member savings and transform them into loans for income smoothing and the financing of member enterprises; (b) building the capacity of the senior management and staff of Lesotho PostBank, which in turn would transform a postal savings bank into a self-reliant bank, expand its credit outreach to rural areas, and enable borrowers to finance their income- and employment-generating enterprises; (c) building the regulatory and supervisory capacity of the Central Bank of Lesotho and governmental implementing partners, which would support the formulation and enactment of a legal and regulatory framework for MBFIs; and (d) facilitating linkages between formal financial institutions and MBFIs by providing credit to the latter for on-lending to their members. The program coverage was nationwide, and interventions at the field level were weighted differently among the 10 districts in the country (IFAD 2017).

123 For rural women in particular, informal barriers linked to social norms restrict women's access to leadership roles, and the Chieftainship Act of 1968 restricts chieftainship to men. A lack of political party quotas also limits the likelihood of women making it onto local government candidate lists and being elected to government.



- **Links to NSDP II (2018–2023).** The plan acknowledges, as areas of concern, gender-based violence and the limited leadership positions occupied by women in both the public and private sectors, an area where Lesotho is falling behind other African countries.

### Areas for action

- a) *Promote equal candidature of women in electoral processes by introducing a legislated quota system for parity within the political party system (short term)*
  - The key first step to the improvement of women’s representation in governance structures and decision-making positions across all sectors is reform of the party structure itself. Requiring political parties to mainstream gender into their constitutions, instituting gender quotas for political parties (50 percent representation of women at all levels), and improving representation of women in leadership in line with Lesotho’s international, regional, and local commitments to gender equality, will help increase the representation of women in government. This would need to be coupled with facilitating the establishment, strengthening, and operationalization of support structures for women’s groups in politics.<sup>124</sup>
- b) *Revitalize efforts to reform the Chieftainship Act of 1968 (short term)*
  - Section 10 of the Chieftainship Act of 1968 denies women the right to ascend to chieftainship in their own right.<sup>125</sup> Previous attempts, including in court, to amend the law have failed. Introducing legislative reform that targets this act could also link to improvements in women’s access to land and could increase the representation of women in decision-making at the local level.
- c) *Develop a well-resourced action plan to support the implementation of the Counter Domestic Violence Bill (short term)*
  - The Counter Domestic Violence Bill 2021 was tabled in parliament April 2021 and is reported to have been approved in March 2022. Its passing into law will be a vital next step toward establishing effective reporting systems for eliminating domestic violence. However, the law by itself will not achieve its intended objective unless accompanying actions are taken such awareness creation on the law itself and the importance of reporting cases of GBV, addressing deep-rooted social norms at the community level, capacitating the police and addressing backlogs in the judiciary. The Anti-GBV Coordination Forum has the mandate to play this role provided its financial and human capacity constraints are addressed.
- d) *Adequately resource and capacitate the Anti-GBV Coordination Forum and expedite the rollout of the national gender-based violence data collection tool (both of which have been pending since 2019) (short term)*
  - A priority action item of the Anti-GBV Coordination Forum, a multistakeholder platform chaired by the Department of Gender that is pending implementation, is the centralized data collection tool on gender-based violence that can be used for evidence-based policy making and programming.<sup>126</sup>

<sup>124</sup> This is in line with the government commitment set out in the Gender and Development Policy (2018–2030), which advocates (a) implementation of affirmative action (through legislated quota) in ensuring equal participation of women in governance structures and decision-making, including at political party level; and (b) institutionalizing laws that provide for a quota system for women, men, and other marginalized groups.

<sup>125</sup> Section 10(2) of the act prohibits a female offspring from inheriting chieftainship or succeeding her deceased father. Section 10(4) provides that the wife of the chief may take over the chieftainship (in acting capacity only) where the male firstborn of the chief is not available to take up the position or the chief has no other son.

<sup>126</sup> The tool has already been developed by the Ministry of Gender and is pending validation by the Ministry of Planning, after which it can be rolled out.

- To be effective, the forum would require a long-term time frame and a stable source of budget. Consultations suggest that since the COVID-19 pandemic, the forum is facing significant financial resource constraints, impeding the implementation of activities of the Anti-GBV Coordination Forum and the referral pathway, as well as the upkeep of the Lapeng one-stop center for gender-based violence survivors in Maseru.<sup>127</sup>

## 7.8. Initiate Gender-Responsive Budgeting, Cutting across Relevant Ministries

A gender-responsive budgeting approach can be used to analyze the budgets of select employment-related policies, programs, and subprograms. The results can be used to target programs and policies relating to labor force participation and employment in select sectors where gender gaps are persistent or have deepened (for example, due to the impact of the COVID-19 pandemic), and where the consequent impact of gender-responsive budgeting can contribute to strategically narrowing a priority gender gap identified in the assessment. The rationale for the focus on gender-responsive budgeting is its potential to have a significant impact on women in select segments of the labor force given the deepening focus on job creation in the Lesotho economy and the already large number of employment, entrepreneurship, and associated programs and policies in place.

- **Links to Lesotho Gender and Development Policy (2018–2030).** Priority area 1 of the policy includes a commitment to embark on gender-responsive budgeting for all sector policies and programs across ministries. In addition, under strategic action 4.4.4, the government undertakes to build national capacity in gender responsive budgeting at the macro and micro levels, including planning, tracking, and monitoring and evaluation of programs.
- **Links to NSDP II (2018–2023).** Intermediate outcome 4.1, on improved public financial management and accountability aims to develop a gender and socially responsive budget system, including the introduction of gender-responsive budgeting techniques as part of resource allocation systems and gender responsive management, monitoring, and evaluation.

### Areas for action

- Build national capacity in gender-responsive budgeting at the macro and micro levels, including in planning, tracking, and monitoring and evaluation (short term)*
- Pilot gender-responsive budgeting, with a focus on programs and policies relating to labor force participation and employment, in select ministries with a high impact on women in the labor force (medium to longer term)*

<sup>127</sup> A more detailed list of action items the coordination forum has identified is presented in appendix E.

**Table 7.2: Areas for Action to Bridge Priority Gender Gaps in Lesotho**

Priority gender gaps	Cross-cutting drivers and barriers	Areas for action	Government counterparts
<b>1. Recognize, reduce, and redistribute unpaid care work and improve working conditions for women</b>			
<p>Unequal responsibility for childcare and household care</p> <p>Unpaid care work</p> <p>Overrepresentation of women in the insecure informal sector and women-dominated sectors impacted by the pandemic (e.g., manufacturing and household sectors)</p>	<ul style="list-style-type: none"> <li>• Patriarchal norms</li> <li>• Lack of accessible and affordable childcare</li> <li>• Short paid maternity leave periods in the formal sector and unpaid maternity leave beyond the minimum of six weeks, lack of maternity benefits for women in informal sector, lack of provisions for paternity leave, and unequal leave days for men and women</li> </ul> <p><i>COVID-19 has had differential impacts on men and women. Women had higher job-exiting rates and their return to employment has been slower than men's, largely because of the closure of schools and the increased responsibilities for childcare. Further, the three sectors where women are overrepresented have been hit the hardest: the household sector (domestic workers); low-paid workers without safety nets (including in subsistence agriculture, food services, and microenterprises); and front-line care and health care workers</i></p>	<p><i>Medium- to longer-term actions</i></p> <ol style="list-style-type: none"> <li>a) Develop programs in partnership with civil society organizations and the private sector to support shifting of social norms related to childcare and other unpaid care work</li> <li>b) Provide paid and gender-equitable parental leave to support improved family structures and norms</li> <li>c) Improve affordability and accessibility of childcare options for low-income women, with a focus on free and low-cost options</li> <li>d) Strengthen regulatory and enforcement procedures in line with international commitments to improve conditions for women workers, beginning with informal workers and workers in the manufacturing and household sectors</li> <li>e) Promote pay transparency and equal pay for equal work for both men and women</li> </ol>	<p><i>Ministries of:</i></p> <p>Education and Training Gender, Youth, Sports, and Recreation Social Development Labour and Employment</p>
<b>2. Support pregnant, parenting, and at-risk adolescent girls to stay in school and facilitate return</b>			
<p>Increasing trends of fertility amongst teenage girls</p>	<ul style="list-style-type: none"> <li>• Rigid gender norms, specifically norms that encourage child marriage and the prioritization of household care responsibilities in the case of girls</li> <li>• Poverty, food insecurity, and relative cost of secondary schooling</li> <li>• Intergenerational and transactional sex</li> <li>• Non-use of or unmet need for contraceptives</li> </ul> <p><i>Pregnancy and corresponding school dropout rates are expected to have increased since the COVID-19 pandemic due to higher rates of poverty and food insecurity</i></p>	<p><i>Short-term actions</i></p> <ol style="list-style-type: none"> <li>a) Support the finalization, passing into law, and implementation of the Prevention and Management of Learner Pregnancy Policy under development</li> <li>b) Expedite ongoing efforts at reforming the Children's Protection and Welfare Act (2011) to include a provision that a child cannot be married below the age of 18 years</li> </ol> <p><i>Medium- to longer-term actions</i></p> <ol style="list-style-type: none"> <li>c) Promote programs for behavior and social norm change with a focus on attitude change programming for boys as a counterpoint to the influence of patriarchal values endorsing child marriage and refusal to use contraception, and building girls' personal aspirations</li> </ol>	<p><i>Ministries of:</i></p> <p>Education and Training Social Development Gender, Youth, Sports, and Recreation</p>
<b>3. Support boys and girls to enter and stay in secondary school and make it easy for them to return if they drop out</b>			
<p>High rates of school dropout</p>	<ul style="list-style-type: none"> <li>• Increasing trends of fertility amongst teenage girls</li> <li>• Poverty, food insecurity and relative cost of secondary schooling</li> <li>• Rigid social norms of masculinity and femininity that encourage (a) boys to abandon school after initiation; (b) child marriage; and (c) prioritization of work over schooling in the case of boys and household care responsibilities in the case of girls</li> </ul> <p><i>Pregnancy and corresponding school dropout rates are expected to have increased since the COVID-19 pandemic due to higher rates of poverty and food insecurity</i></p>	<p><i>Medium- to longer-term actions</i></p> <ol style="list-style-type: none"> <li>a) Promote school-based programs for social norm change with a focus on changing norms relating to boys' and girls' roles in society</li> <li>b) Target initiation schools to support reintegration of boys into the formal school system after initiation</li> </ol>	<p><i>Ministries of:</i></p> <p>Education and Training Gender, Youth, Sports, and Recreation Social Development</p> <p><i>Also:</i> Parliamentary Social Cluster Committee</p>

Priority gender gaps	Cross-cutting drivers and barriers	Areas for action	Government counterparts
<b>4. Prepare girls for education and employment in high-earning fields</b>			
Fewer women taking STEM subjects in secondary school and employed in higher-earning fields and STEM sectors	<ul style="list-style-type: none"> <li>• Social norms driving subject choices linked to less remunerated fields</li> <li>• Associated social norms that discourage hiring women to top positions and in STEM fields</li> <li>• Lack of affordable and accessible childcare facilities</li> <li>• Lack of role models for girls in male-dominated fields</li> </ul>	<p><i>Short-term actions</i></p> <ol style="list-style-type: none"> <li>Increase women's access to internships and programs for young professionals (matching at least 50 percent women applicants)</li> </ol> <p><i>Medium- to longer-term actions</i></p> <ol style="list-style-type: none"> <li>Beginning at the primary school level, challenge social norms that hinder girls' uptake of and success in subjects leading to higher-earning professions</li> <li>Encourage targeted peer group support and role modeling of women in STEM</li> <li>Introduce employment targets for women in STEM</li> </ol>	<p><i>Ministries of:</i></p> <p>Labour and Employment Education and Training Communications, Science, and Technology Gender, Youth, Sports, and Recreation Public Service Commission</p>
<b>5. Promote women's land rights, with a focus on rural women</b>			
Women tend to own smaller and less productive plots of land and have little decision-making power to mobilize land for productive purposes. Limited impacts of land reforms, particularly in rural areas	<ul style="list-style-type: none"> <li>• Asymmetry in inheritance systems: (a) patriarchal norms favoring men and boys and against female ownership; (b) reform of key laws pending</li> <li>• Lack of information, particularly at the grassroots level in rural areas, on rights of women under the Land Act of 2010, and guarantees and status of women under the Legal Capacity of Married Person's Act</li> </ul>	<p><i>Short-term actions</i></p> <ol style="list-style-type: none"> <li>Strengthen the capacity and knowledge of community councils, chiefs and rural women on matters related to land rights under the Land Act 2010</li> <li>Support and expedite ongoing legal reforms relating to land</li> </ol>	<p><i>Ministries of:</i></p> <p>Gender, Youth, Sports, and Recreation Local Government and Chieftainship Affairs</p>
<b>6. Enhance Women's Financial Inclusion and Entrepreneurship</b>			
Constraints on women's access to formal credit, low credit history, and high rejection rate of women loan applicants. Rural women in low-income categories are most vulnerable in this regard	<ul style="list-style-type: none"> <li>• Absence of gender-inclusive credit reporting systems</li> <li>• Women-owned businesses starting and staying small and mainly relying on informal sources of finance</li> <li>• Lack of access to collateral and consequent challenges accessing credit from formal institutions, hence an overreliance on informal sources of finance and credit</li> <li>• Negative stereotypes about women entrepreneurs</li> <li>• Entrepreneurship opportunities and programs being more accessible to educated, urban, middle-income women and men</li> <li>• Lack of information about access to finance options, technical skills, business development services, and markets</li> </ul>	<p><i>Short-term actions</i></p> <ol style="list-style-type: none"> <li>Amend and enact the Public Procurement Bill to put in place a 30 percent quota for public procurement for women-owned businesses in alignment</li> <li>Address barriers to entry and growth faced by women entrepreneurs, with a focus on lagging rural areas, to inform the draft MSME policy and future interventions</li> </ol> <p><i>Medium- to longer-term actions</i></p> <ol style="list-style-type: none"> <li>Provide comprehensive gender-focused business development services, particularly in rural areas</li> <li>Develop new mechanisms for evaluating women's creditworthiness</li> <li>Build the capacity of both bank and nonbank financial institutions, including microfinance institutions, to address discrimination and to support the effective implementation of laws</li> </ol>	<p><i>Ministries of:</i></p> <p>Finance Small Business Development, Cooperatives, and Marketing</p> <p><i>Also:</i></p> <p>Central Bank Prime Ministers Development Unit Lesotho National Development Corporation Lesotho Chambers of Commerce and Industry Basotho Enterprise Development Corporation</p>

Priority gender gaps	Cross-cutting drivers and barriers	Areas for action	Government counterparts
<b>7. Strengthen women's participation in local government and resource the mechanisms on gender-based violence</b>			
Low descriptive and substantive representation and participation of women in national and local government	<ul style="list-style-type: none"> <li>Lack of quotas for women within political party constitutions and limited quotas within elected office</li> <li>The Chieftainship Act of 1968 that restricts chieftainship to males</li> <li>Informal barriers linked to social norms that restrict women's leadership roles in local government, especially in rural areas</li> <li>Political instability and frequent changes in leadership</li> </ul>	<i>Short-term actions</i> <ol style="list-style-type: none"> <li>Promote equal candidature of women in electoral processes by introducing a legislated quota system for parity within the political party system</li> <li>Revitalize efforts to reform the Chieftainship Act of 1968</li> </ol>	Independent Electoral Commission
Gender-based violence prevalence is higher than the global average	<ul style="list-style-type: none"> <li>Inadequate policy and legislative frameworks addressing gender-based violence</li> <li>Lack of coordination and resources for implementing programs and policies</li> <li>Social norms that tolerate gender-based violence</li> </ul>	<i>Short-term actions</i> <ol style="list-style-type: none"> <li>Develop a well-resourced action plan to support implementation of the Counter Domestic Violence Bill</li> <li>Adequately resource and capacitate the Anti-GBV Coordination Forum and expedite the rollout of the national gender-based violence data collection tool</li> </ol>	<i>Ministries of:</i> Gender, Youth, Sports, and Recreation Police and Public Safety
<b>8. Initiate gender-responsive budgeting, cutting across relevant ministries</b>			
Gender gap in labor force participation and employment	<ul style="list-style-type: none"> <li>Lack of commitment, resources and institutional framework to institute gender-responsive budgeting</li> </ul>	<i>Short-term actions</i> <ol style="list-style-type: none"> <li>Build national capacity in gender-responsive budgeting at the macro and micro levels, including planning, tracking, and monitoring and evaluation</li> </ol> <i>Medium- to longer-term actions</i> <ol style="list-style-type: none"> <li>Pilot gender-responsive budgeting, with a focus on programs and policies relating to labor force participation and employment, in select ministries with a high impact on women in the labor force</li> </ol>	<i>Ministries of:</i> Finance Small Business Development, Cooperatives, and Marketing Labour and Employment Gender, Youth, Sports, and Recreation

a. Unpaid care work includes childcare, care for elderly persons, and household and other domestic responsibilities. This is understood in this context as both a gap and a cross-cutting driver.

b. The business development services program would be informed by an updated assessment of the barriers faced by women to access finance and markets, given the transformed landscape in the country with the uptake of mobile banking and other market technologies (the last assessment of barriers was done in 2011). It would also be further informed by assessment of entrepreneurship programs across the country to draw lessons learned (the last national-level assessment on entrepreneurship programs in Lesotho was done in 2006).



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## 8. Appendixes

# Appendix A. Stakeholder Consultations

**Table A.1: Stakeholders Consulted: Government Agencies, Civil Society, and Nongovernment Organizations (October 2019 to February 2020)**

No.	Name	Organization or department	Position
1	Mr Emmanuel Letete	Ministry of Development Planning	NSDP II Coordinator
2	Ms Pinki Manong	Ministry of Gender	GBV Liaison Officer
3	Mr Ts'eliso Makara	Ministry of Development Planning	Economist, Procurement Officer
4	Ms Mpho Motsamai	Women's Law Clinic	Human Rights Lawyer
5	Ms Cassy Harvey	UNDP	Gender Focal Point
6	Ms Ntoli Moletsane	Sentebale	Acting CEO
7	Ms Mabataung Secker	Development for Peace Education (community participation)	Peace Education Researcher
8	Ms Mamalefetsane Phakoe	ESAFF Lesotho (smallholder farmers)	National Chairperson
9	Mr Nkhasi Sefuthi	Lesotho National Federation of Organizations for the Disabled	Executive Director
10	Mr Lehlohonolo Chefa	Policy Analysis and Research Institute of Lesotho	Executive Director
11	Mamotheba Busa	Master of Healing Foundation (LGBTIQ+ support)	
12	Mr Molemo Makhetha	PSI	HTS Manager
13	Ms Malehloa Thulo	PSI	HTS Coordinator
14	Mr Theodosius Ponya	Lesotho Planned Parenthood Association	PUSH Project Manager
15	Ms Lisemelo Mosakeng	Lesotho Association for Non-formal Education	Programs
16	Ms Manteboheleng Mabetha	Gender Links	Country Manager
17	Ms Rahaba	GRROA (prisoners and ex-offenders)	Child Welfare Officer
18	Mr Matsoso	GRROA	Finance Manager
19	Mr P. Lenanya	Khotla Lesotho	Counsellor
20	Mr Seabata Makoe	GRROA	Project Manager
21	Ms Matautona	Widow's Journey	Founder
22	Ms M. Phomane	She-Hive (gender-based violence)	Executive Director
23	Mr Takatso Ramakhula	She-Hive	Transformation Officer
24	Ms Mpho Letima	GEM Institute	Strategy and Policy Advisor / Founder
25	Ms Mabataung Rabolinyane	Department of Youth	Senior Entrepreneurship Officer



No.	Name	Organization or department	Position
26	Ms Refiloe Makhakhe	Department of Youth	Youth Development Officer
27	Mr Daniel Maraisane	UNITE (factory workers)	Deputy General Secretary
28	Mr Qamaka Seeko Nts'ene	UNITE (factory workers)	Deputy General Secretary
29	Mr Mosala Marooe	Lesotho Millennium Development Authority (LMDA)	Social and Gender Officer
30	Ms Charlotte Moeketsi	LMDA	Assistant Economist
31	Ms Matselane Masoabi	LMDA	Assistant Public Outreach Officer
32	Ms Refiloe Sethathi	LMDA	Environmental and Social Performance Specialist
33	Ms Mannana Phalatse	LMDA	Economist
34	Mr Basia Bless	LMDA	M&E Specialist
35	Ms Limpho Maema	LMDA	Gender and Social Inclusion Specialist
36	Mr Sekoala Molapo	LMDA	Private Sector Specialist
37	Mr Tampose Mothopeng	The People's Matrix (LGBTI support)	
38	Ms Mookho Thaane	UNICEF	Social and Policy Officer
39	Ms Maseretse Ratia	UNFPA	National Programme Analyst, BCC Adolescent and Youth
40	Ms Matseliso Khesa	UNFPA	Gender-Based Violence and Human Rights Officer
41	Ms Relebohile Lebeta	Ministry of Local Government	Commissioner of Lands
42	Ms Maeaea Mokethi	Ministry of Social Development	Director of Social Assistance
43	Ms Mankhatho Linko	Ministry of Social Development	Director of Planning
44	Mr M. Ramakoele	Department of Gender	Principal Gender Officer
45	Mr N. Matobo	Department of Gender	Senior Gender Officer
46	Ms N. Ts'oeli	Department of Gender	Principal District Gender Officer
47	Mr N. Monyane	Department of Gender	Senior Gender Officer
48	Mr Dennis Masoai	International Organization for Migration	Migration Officer
49	Ms Mabaruti Motsamai	International Organization for Migration	Migration Health Program Assistant
50	Ms Sophie Pirlet	International Organization for Migration	Intern
51	Ms Makhoabane Ledimo	Ministry of Labour and Employment	Deputy Principal Secretary
52	Mr Kanono Thabane	Arbitrage Consultants	CEO and Economist (and Youth Activist)
53	Mr Nkhasi Sefuthi	Lesotho National Federation of Organizations for the Disabled	Executive Director
54	Mr Lehlohonolo Chefa	Policy Analysis and Research Institute of Lesotho	Executive Director
55	Mamotheba Busa	Master of Healing Foundation (LGBTIQ+ support)	
56	Ms Maobert Ramots'o	World Vision	Child Protection Coordinator
57	Ms Maseisa Ntlama	World Vision	Advocacy and Justice for Children Manager
58	Mr Pholo Madam	World Vision	Livelihood and Resilience Technical Manager

No.	Name	Organization or department	Position
60	Ms Mapoloko Leteka	Care for Basotho	Project Manager
61	Ms Mosa Makhetha	Care for Basotho	Volunteer
62	Mr Teboho Thatjane	Care for Basotho	Volunteer
63	Ms Nteboheng Tesele	Care for Basotho	Psychosocial Support Officer
64	Ms Mabela Lehloenya	Federation of Women Lawyers (FIDA)	Project Manager
65	Ms Majubere Mofolo	Basotho Enterprises Development Corporation (BEDCO)	Acting Enterprise Development Manager
66	Mr Ts'epo Shava	BEDCO	Enterprise Development Officer
67	Ms Mantsalla Ramakhula	Lesotho Council of NGOs	Women and Children's Commission Coordinator
68	Ms Mathabo Kalaka	N/A	Domestic Worker

**Table A.2: Thematic Roundtables and Other Consultations (February 2021 to July 2021)**

No.	Name	Organization/department and position
<b>Roundtable 1: School dropout and transition from stem studies to jobs in frontier skills</b>		
1	Professor Mantoa Sekoto	Lecturer and President, National University of Lesotho Women in Science, Lesotho Chapter
2	Ms Mamonyane Mangope	Ministry of Education, Economic Planner
3	Ms Elizabeth Bokaako	Ministry of Education
4	Ms Kabelo Maema	Ministry of Labour and Employment
5	Ms Cecilia	Ministry of Labour and Employment
6	Mr Kuleile Matlatsa	Ministry of Science and Communications, IT Manager
7	Ms Mapuleng Secheche	Ministry of Gender, Youth, Sports, and Recreation, Chief Gender Officer
8	Ms Maeaea Mokethi	Ministry of Social Development, Director of Social Assistance
9	Ms Mankhatho Linko	Ministry of Social Development, Director of Planning
<b>Roundtable 2: Access to ownership of land</b>		
1	Ms Ntšebo Putsoa	Land Administration Authority, Director of Leasing and Customer Services
2	Advocate Liphoo Maema	LMDA, Social and Gender Specialist
3	Ms Relebohile Lebeta	Ministry of Local Government, Commissioner of Lands
4	Ms Tebello Sekhobe	Ministry of Forestry
5	Dr Puleng Matebesi Ranthimo	Professional Woman Farmer
6	Ms Lisebo Mositsi	Entrepreneur and Agripreneur
7	Advocate Libakiso Mathlo	Women and Law in Southern Africa, Executive Director
8	Advocate Mamosa Mohlabula	Women and Law in Southern Africa, Program Manager
9	Ms Manteboheng Mabetha	Gender Links, Country Director
10	Tebello Sefefo	Ministry of Agriculture
11	Elizabeth Bokaako	Ministry of Agriculture
12	Deborah	FAO
<b>Roundtable 3: Access to financial services and formal credit</b>		
1	Honourable Thesele 'Maseribane	Ministry of Small Business Development, Cooperatives, and Marketing, Minister

No.	Name	Organization/department and position
2	Ms Mabasia Lepota	Ministry of Small Business Development, Cooperatives, and Marketing, Deputy Principal Secretary
3	Dr Retselisitsoe Matlanyane	Central Bank of Lesotho, Governor
4	Dr Rethabile Masenyetse	Central Bank of Lesotho, Executive Assistant to the Governor
5	Mr Francis Mothibe	Banking Supervision Department, Central Bank of Lesotho
6	Mr Bafokeng Noosi	Central Bank of Lesotho
7	Mr Teboho Sello	Stanbic, Personal Loans
8	Ms Mamajara Molapo	Boliba Savings and Credit Cooperative, Business Development Manager
9	Mr Letele M.	Boliba Savings and Credit Cooperative, Office of Finance and Administration
10	Mr Paballo Mohapi	Lesotho Chamber of Commerce and Industry
11	Mr Katleho Motete	Lesotho Chamber of Commerce and Industry
12	Ms Lineo Tšeuoa	Lesotho Revenue Authority, Deputy Commissioner, Priority Client Services
13	Ms Matseliso Khesa	UNFPA, Gender-Based Violence and Human Rights Officer
14	Ms Matau Futho-Letsatsi	Department of Gender, Director
15	Mr Mosiuoa Ramakoele	Department of Gender, GBV Liaison Officer
16	Ms Liteboho Ntlhakana	Department of Gender, Principal Gender Officer
17	Ms Sehloheng Maqelepo	Department of Gender, Gender Officer, Economic Empowerment
18	Ms Motena Letsie	Department of Department, Principal Gender Officer, Social Empowerment
19	Mr Khauta Mokoma	Ministry of Education and Training, Exams Council
20	Ms Malshoane Rapholo	Ministry of Education and Training, Statistician
21	Ms Maneo Mapharisa	Girls Coding Academy, Founder
22	Ms Moleboheng Nepo	Child and Gender Protection Unit, Senior Inspector
23	Ms Masechaba Thorela	Christian Council of Lesotho, General Secretary
24	Mr Monesa Liphapang	Christian Council of Lesotho, Program Officer

# Appendix B. Methodology

## Desk Review of Literature

- National laws and policies on gender and various aspects of gender equality, such as marital regime, land and inheritance rights, employment and labor market access, political representation, financial inclusion, education, health, and gender-based violence.
- Policy documents prepared by the World Bank Group and other development partners, including multi-year strategic plans, sectoral and poverty assessments, and policy evaluations.
- Academic literature on gender and social norms in Lesotho.

## Interviews and Focus Group Discussions

These were held with 92 stakeholders representing 9 government ministries and agencies, 6 United Nations agencies, 28 nongovernmental organizations, and 2 academic institutions. Appendix A includes an exhaustive list of stakeholders consulted. Several interviews were conducted during a scoping mission between October 20 and October 30, 2019. Due to COVID-19, a second validation mission was replaced with a virtual mission held between April 7 and April 23, 2020. Subsequent consultations with select stakeholders were held in April and May 2021 and August 2021 to further validate primary findings of the assessment and priority recommendations set out in the assessment.

## Analysis of 2016 Census Data and World Development Indicators

Given that the 2019 poverty assessment was not able to cover gender gaps in detail, the team conducted an analysis of descriptive statistics to assess gender gaps in poverty, unemployment, fields of study, and other key indicators. The team relied on 10 percent of the census data from the Bureau of Statistics, according to their requirements. Data from the World Development Indicators were used to assess trends in key indicators, which were integrated across the assessment. Participants in the roundtables included relevant ministries, independent public bodies (such as the Council for Higher Education, Land Administration Authority, and Central Bank), trade and professional associations (Chamber of Commerce), private businesses (banks, and cooperatives), nongovernmental organizations engaged in relevant fieldwork, universities, and women's groups.

## Analysis of Wage Gaps Using Data from 2017–2018 Continuous Multipurpose Household Survey/ Household Budget Survey (CMS/HBS)

This data set was used to explore wage differences by age, region, and education level. An additional analysis of the cost of female joblessness was conducted.



# Appendix C. Benchmarking Lesotho's Progress on Gender Equality

This appendix adopts a regional perspective to set out how Lesotho has progressed on gender equality in the Sub-Saharan context.

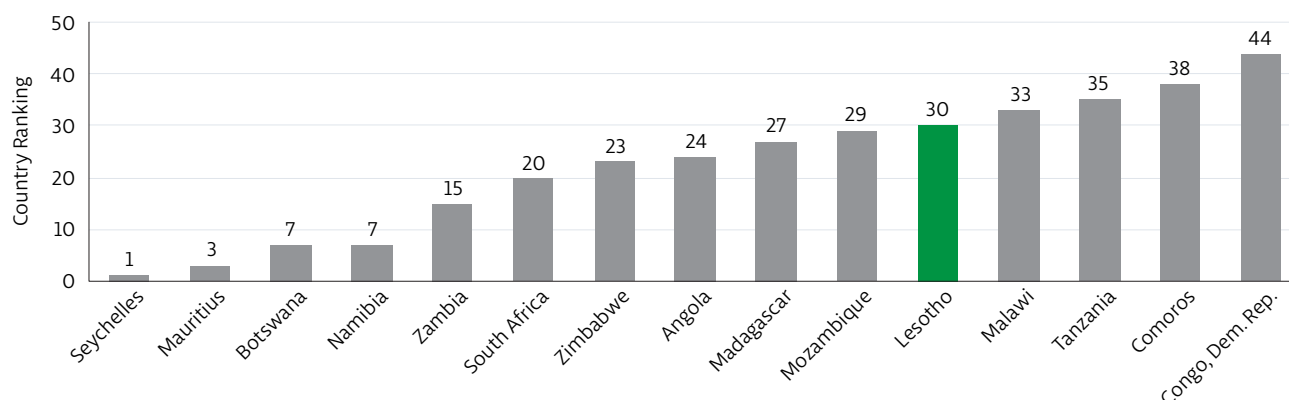
## Performance on Global and Regional Indexes

The situation of women in Lesotho, as captured by the United Nations Development Programme (UNDP) and the World Economic Forum (WEF) Global Gender Gap Index (GGI), is quite contrasted, with women faring better than men for life expectancy and years of schooling, but still suffering from some of the world's highest levels of inequality for income, reproductive health, and empowerment. This suggests that despite the progress made over the past decade thanks to legal and policy efforts, women still face major barriers to human development in practice.

Lesotho is among the best-performing countries according to the UNDP Gender Development Index (focusing on life expectancy at birth, years of schooling, and income per capita), with a female-male ratio of 1.014 compared to an average of 0.861 for Sub-Saharan Africa (a value of 1 indicates equivalence for men and women). By contrast, for the UNDP Gender Inequality Index (focusing on reproductive health, empowerment, and economic activity), Lesotho ranks 139th out of 162 countries.

On the Ibrahim Index of African Governance, Lesotho ranks 30th in terms of gender equality—a 10-place decrease since 2010.<sup>128</sup> The rankings of Southern African Development Community (SADC) countries are shown in figure C.1. Lesotho is the fifth highest in SADC on this index.

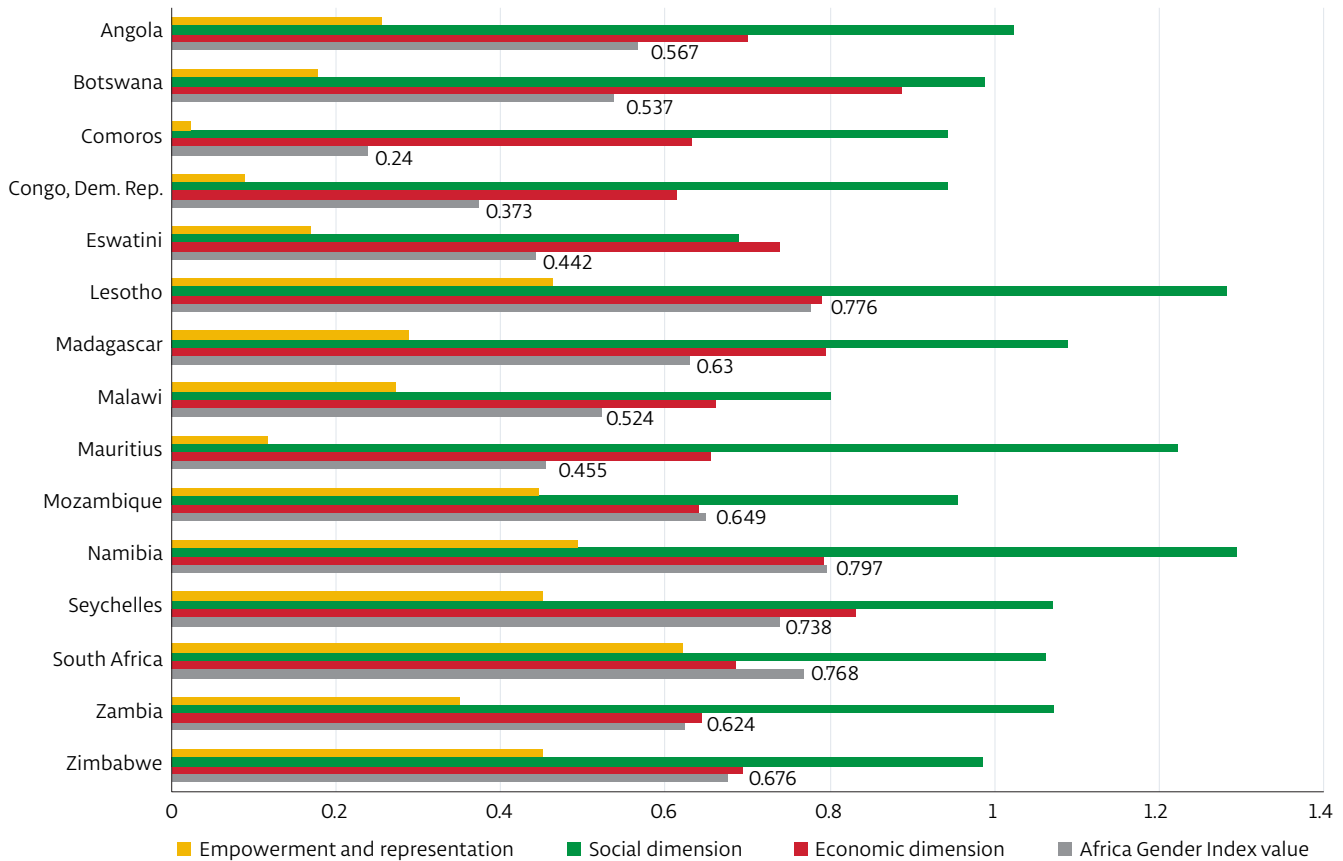
**Figure C.1: SADC Country Ranking in Terms of Gender: Ibrahim Index of African Governance, 2019**



Source: Ibrahim Index of African Governance: <https://iiag.online>.

<sup>128</sup> <https://iiag.online>. The Ibrahim Index of African Governance measures indicators such as political power and representation of women, equal civil liberties for women, socioeconomic opportunity for women, equal access to public services for women, and laws on violence against women.

Figure C.2: African Gender Index Rankings, 2019



Source: African Development Bank Group, and United Nations Economic Commission for Africa.

On the most recent African Gender Index (2019), Lesotho scored 0.776, the second highest score in SADC behind Namibia (0.797) (figure C.2). Lesotho performed better than most in terms of the economic dimension,<sup>129</sup> second highest in SADC in terms of the social dimension,<sup>130</sup> and third highest in terms of empowerment and representation.<sup>131</sup>

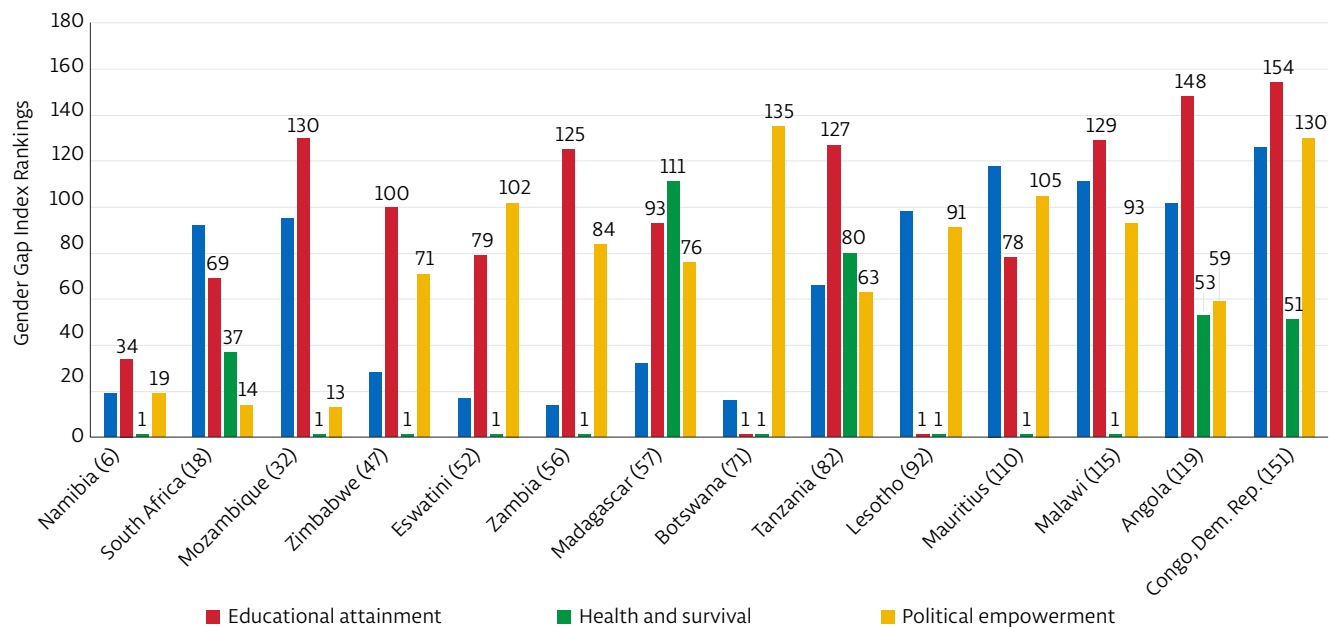
A thorough regional comparison is limited by a lack of data and irregular tracking of recurring indicators. Out of the 72 gender-specific SDG indicators needed to understand the situation of women in Lesotho and monitor development from a gender perspective, only a quarter are produced, and few are produced on a periodic basis or using a comparable methodology (UN Women n.d.). In 2020, Lesotho ranked 32nd in Africa on the Africa SDG Index, falling behind SADC counterparts such as Botswana (6th), South Africa (9th), Namibia (13th), United Republic of Tanzania (17th), Zimbabwe (23rd), Zambia (27th), Eswatini (29th), and Malawi (31st) (Sustainable Development Goals Center for Africa and Sustainable Development Solutions Network 2020).

On the WEF GGI, Lesotho ranks 14th out of 35 countries in Sub-Saharan Africa, 10th in SADC, and 92nd globally, falling one rank regionally and four ranks globally since 2020 (World Economic Forum 2021). Lesotho ranks first for health and survival and educational attainment, but its scores on economic participation and opportunity and political empowerment are much lower (figure C.3).

129 The economic dimension assesses whether women and men have equal economic opportunities. It measures gender inequalities in labor market participation, wages and incomes, business ownership, and access to productive resources.

130 The social dimension measures gaps in access to education and health services. It seeks to assess whether girls and boys have equal educational opportunities and the requisite levels of education to function as active members of their communities, and whether they have equal opportunity to lead healthy lives.

131 The empowerment and representation dimension measures the extent to which women and men participate in their country's decision-making processes and organs, and whether women and men are represented in political institutions equitably.

**Figure C.3: SADC: Global Gender Gap Index Rankings, 2021**

Source: World Economic Forum 2021.

Set out below are snapshots of where Lesotho stands regionally in the key fields of education, health, economic participation and opportunity (labor force participation and wage gap), women's representation in decision-making, and gender-based violence.

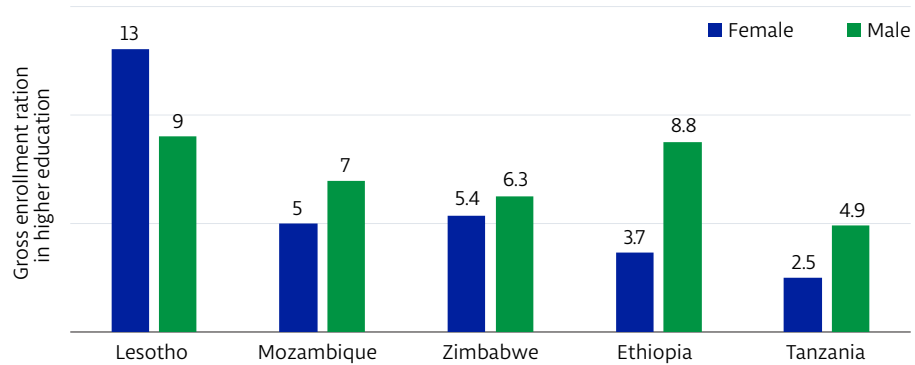
## Human Endowments

### Education

Lesotho is one of three countries in Sub-Saharan Africa (along with Botswana and Namibia) to have closed the gender gap in access to education (World Economic Forum 2021), although this is partly due to dropout of boys from primary and secondary school, particularly in rural and mountainous areas (Ministry of Education and Training 2020). Compared with other countries in the region, Lesotho has a stronger representation of women in higher education. Women accounted for 60 percent of those in higher education in 2016, the second highest rate in a SADC country after Namibia (66 percent) (SADC 2016). In 2017, Lesotho had a gross enrollment ratio<sup>132</sup> in higher education of 12.9 percent for women compared with 9.1 percent for men. The gross enrollment ratio is higher than most SADC countries, including Mozambique, Zimbabwe, Ethiopia, and the United Republic of Tanzania (figure C.4) (Government of Lesotho 2018).

132 For tertiary level gross enrollment ratio, the Bureau of Statistics tracks gross enrollment ratio as total enrollment in tertiary institutions, regardless of age, as a percentage of the total population between ages 18 and 22.

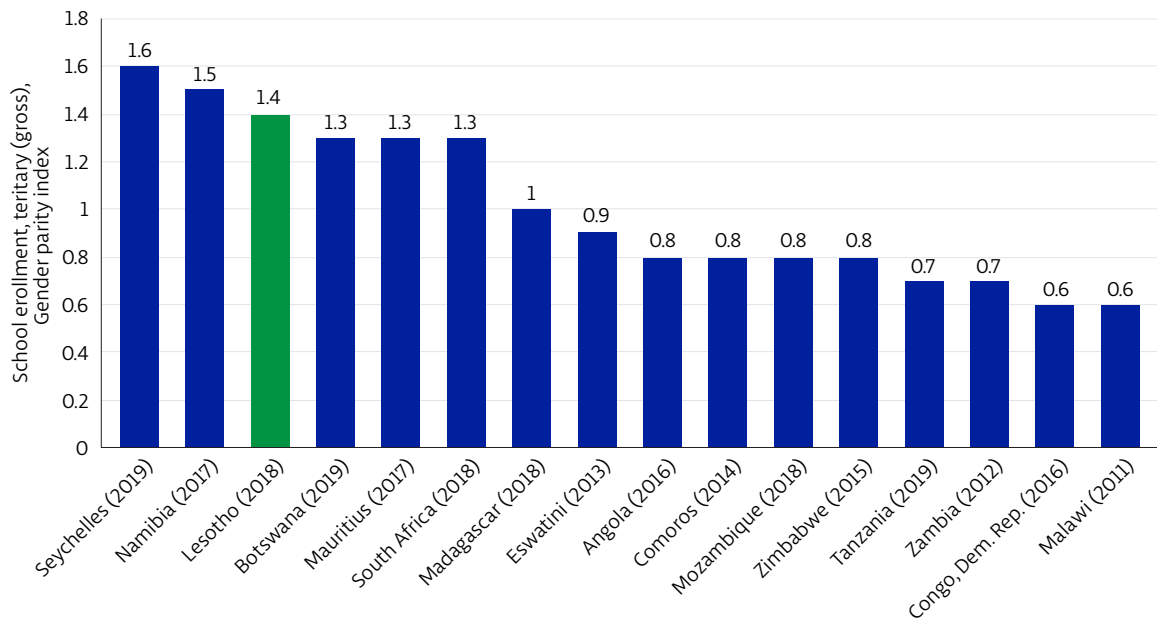
**Figure C.4: Gross Enrollment Ratio in Higher Education Institutions (%)**



Source: Government of Lesotho 2018.

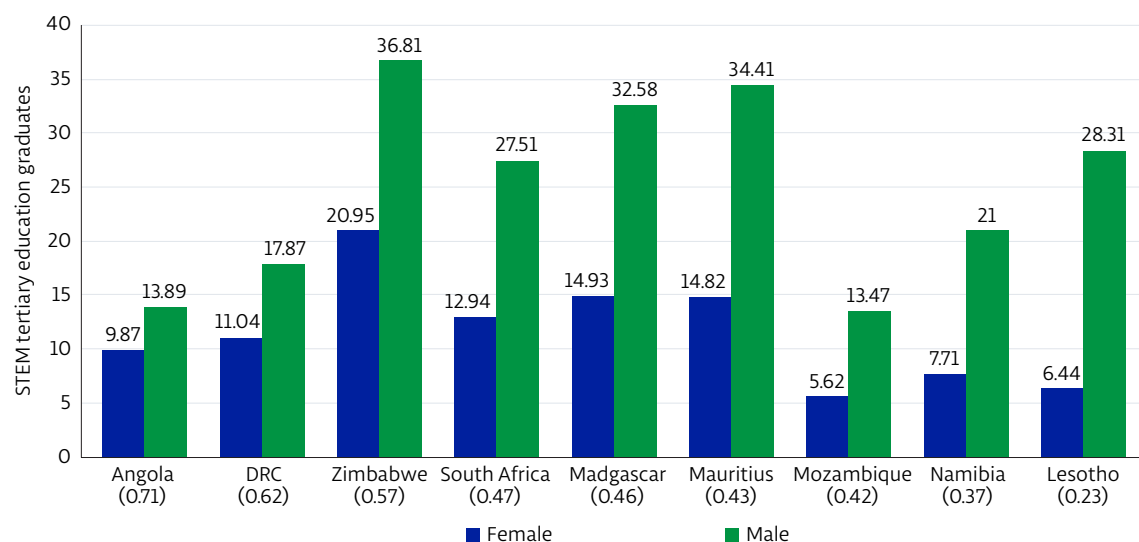
In 2018, Lesotho had the third best gender parity index score in terms of school enrollment at the tertiary level, after Seychelles and Namibia (figure C.5).

**Figure C.5: SADC Countries: School Enrollment, Tertiary (Gross), Gender Parity Index (Years Specified per Country)**



Source: World Bank 2021a.

In terms of science, technology, engineering, and mathematics (STEM graduates), Lesotho has a large gender gap, with just 6.44 percent of women graduating in STEM, compared to 28.31 percent of men (figure C.6).

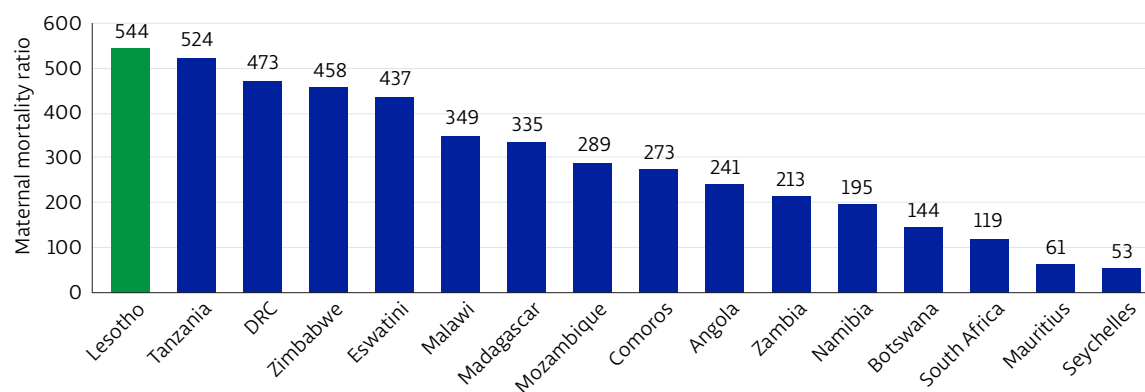
**Figure C.6: SADC: STEM Tertiary Education Graduates, 2018 (%)**

Source: World Economic Forum 2021.

## Health

### Maternal Mortality

Lesotho has one of the highest maternal mortality ratios in the world. The 2017 modeled estimates show that the maternal mortality ratio in Lesotho is 544 per 100,000 live births, which is above the Sub-Saharan African average of 534. Within Sub-Saharan Africa, Lesotho ranks 34 out of 48 countries on maternal mortality ratio and ranks last among the countries of the Southern African Customs Union (WHO 2017). In SADC, Lesotho has the highest maternal mortality ratio (figure C.8). The share of births attended by skilled personnel is high at 86.6 percent, while 76.6 percent of women age 15–49 perform at least four visits of antenatal care.

**Figure C.7: Maternal Mortality Ratio in SADC, 2017 (Modeled Estimate per 100,000 Live Births)**

Source: World Bank 2021a.

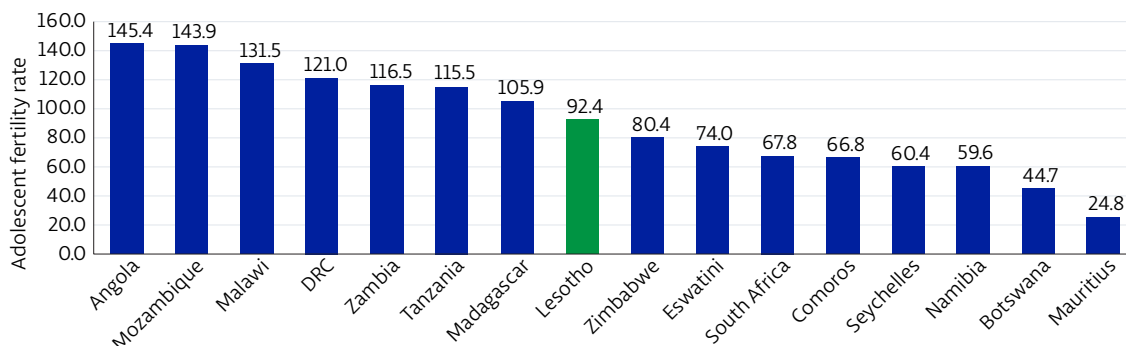
Despite the high maternal mortality ratio, the overall health gender gap is almost closed, which rather points to a need to improve health conditions for all, in addition to narrowing gender gaps in health. This remains a priority in the whole region, so Lesotho fares well in this respect.



## Fertility

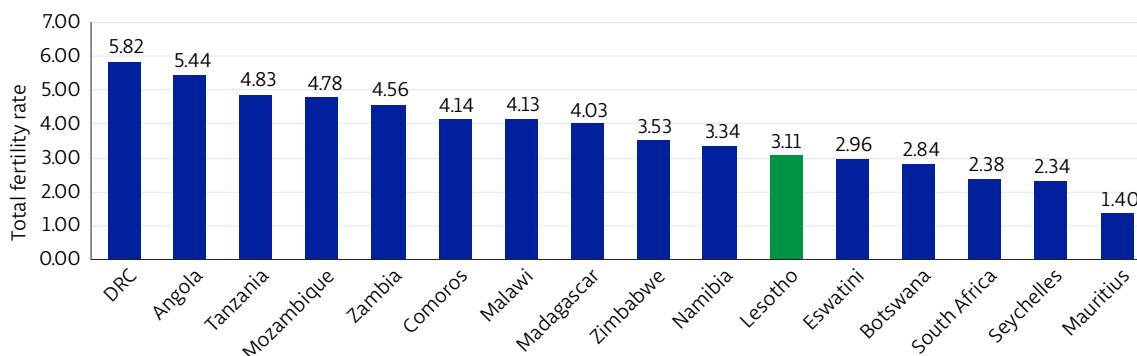
Lesotho's adolescent fertility rate is in the midrange for SADC countries (figure C.9), whereas its total fertility rate is in the lower range (figure C.10).

**Figure C.8: Adolescent Fertility Rate (Births per 1,000 Women Ages 15-19), 2019**



Source: World Bank 2021a.

**Figure C.9 SADC: Total Fertility Rate (Births per Woman), 2019**

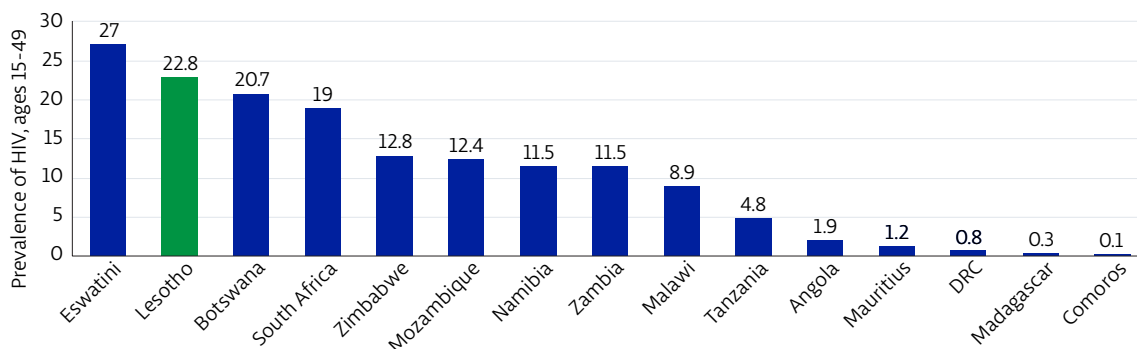


Source: World Bank 2021a.

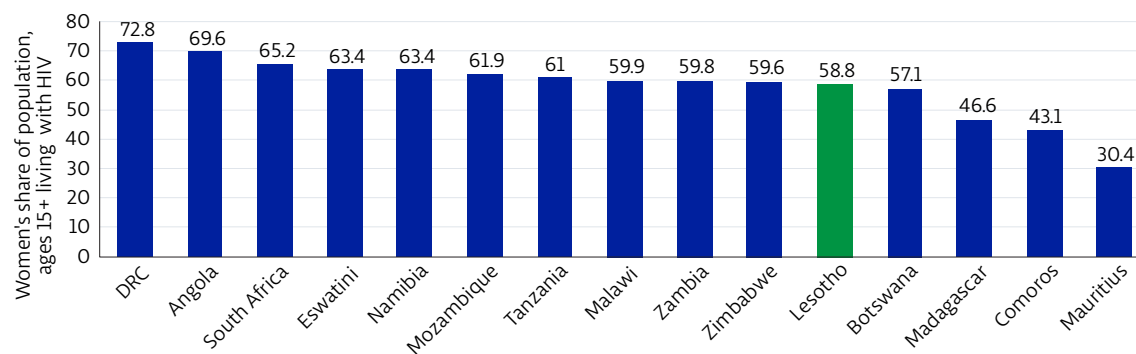
## HIV

In terms of HIV infections, Lesotho has the second highest HIV prevalence in SADC (figure C.11). However, women's share of the population ages 15 years and above living with HIV is the fifth lowest in SADC (figure C.12).

**Figure C.10 SADC: Prevalence of HIV (% of Population Ages 15-49), 2019**



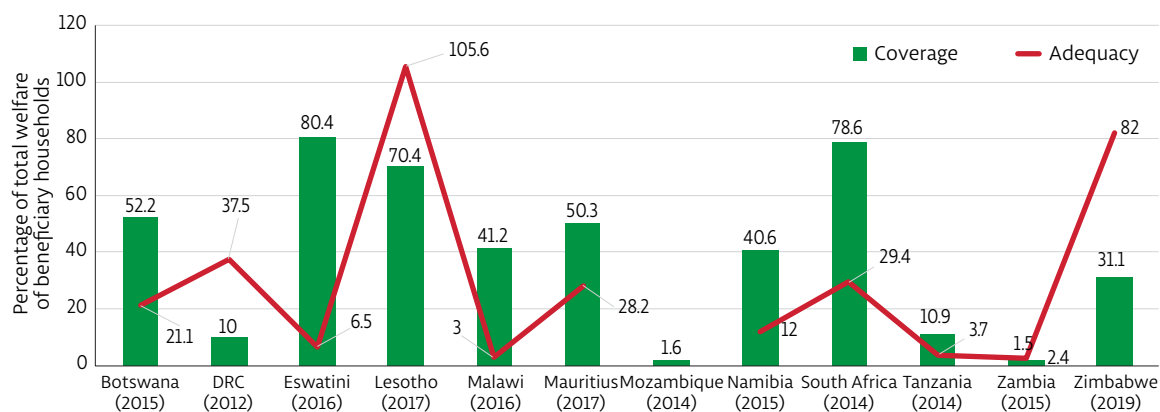
Source: World Bank 2021a.

**Figure C.11: SADC: Women's Share of Population Ages 15+ Living with HIV, 2019 (%)**

Source: World Bank 2021a.

## Social Protection

Lesotho has the third highest coverage of social safety net programs in SADC, and the highest adequacy (that is, the proportion they make up of the total welfare of beneficiary households) of such programs in SADC (figure C.13).

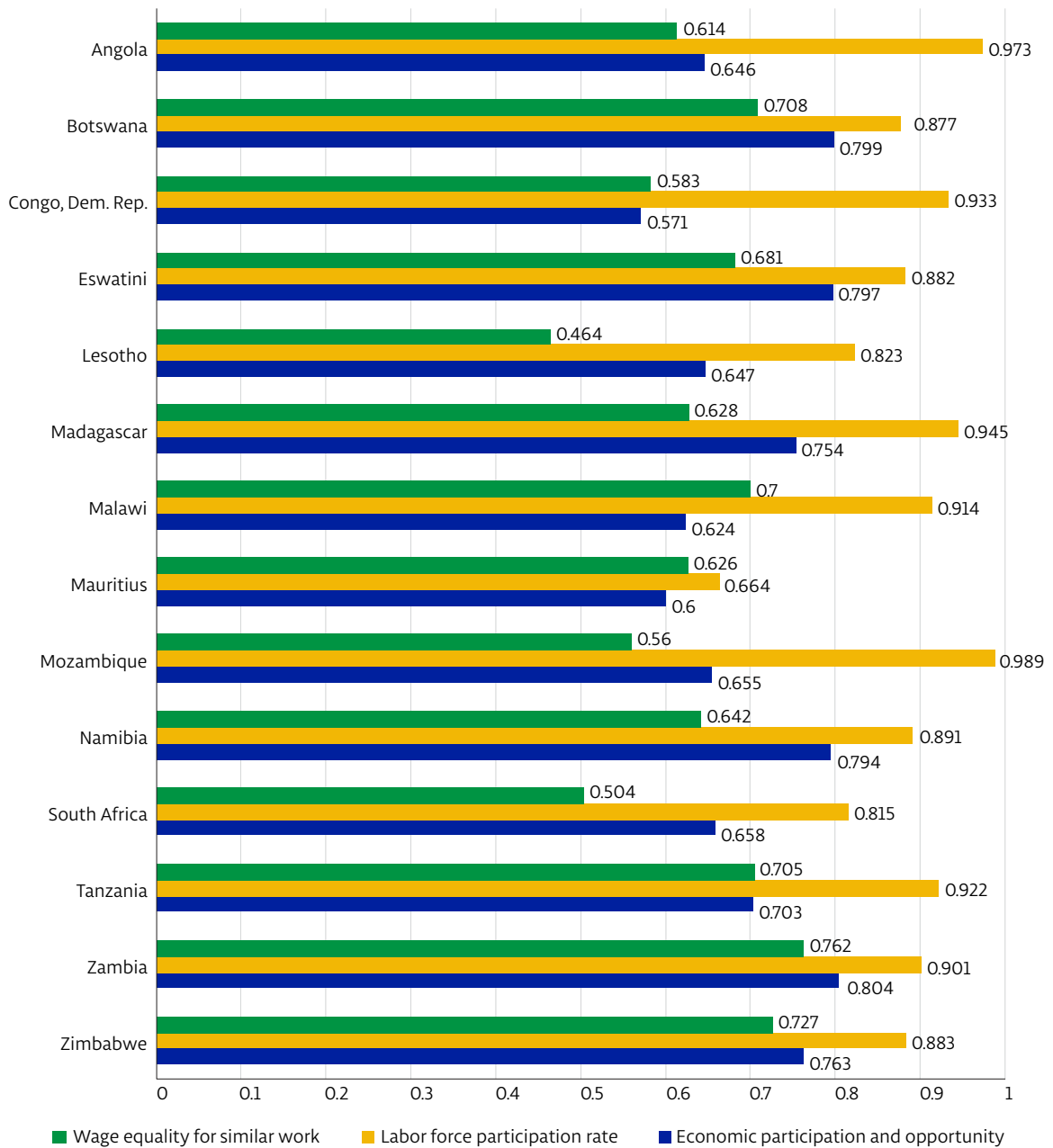
**Figure C.12: SADC: Coverage and Adequacy of Social Safety Net Programs (Dates Specified)**

Source: World Bank 2021a.

## Economic Participation and Opportunities

In the WEF GGI 2021 rankings, Lesotho scores the sixth lowest in SADC for female economic participation and opportunity,<sup>133</sup> the third lowest for labor force participation, and the lowest for wage equality (figure C.14). However, it scores the fifth highest for the proportion of female legislators, senior officials, and managers, and the fourth highest for the female proportion of professional and technical workers (World Economic Forum 2021).

Figure C.13: SADC WEF GGI Scores, 2021



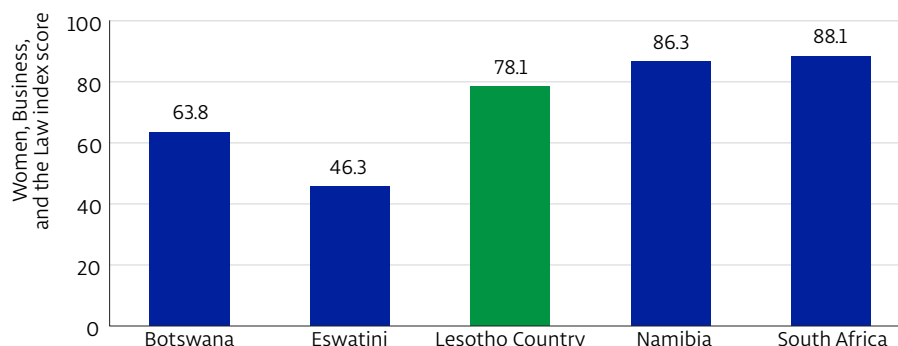
Source: World Economic Forum 2021.

<sup>133</sup> This subindex contains three concepts: the participation gap, the remuneration gap, and the advancement gap. The participation gap is captured using the difference between women and men in labor force participation rates. The remuneration gap is captured through a hard data indicator (ratio of estimated female-to-male earned income) and a qualitative indicator gathered through the WEF annual executive opinion survey (wage equality for similar work). Finally, the gap between the advancement of women and men is captured through two hard data statistics (the ratio of women to men among legislators, senior officials, and managers, and the ratio of women to men among technical and professional workers).

## Labor Force Participation

Lesotho has the third highest score of countries in the Southern African Customs Union on the Women, Business, and the Law Index (figure C.15) (World Bank 2021b). Lesotho's score was negatively affected by the absence of criminal penalties and civil remedies for sexual harassment in employment, limitations in the Labour Code that prevent women from working in industrial jobs in the same way as men, and lack of legislation prohibiting discrimination in access to credit based on gender.

**Figure C.14: Women, Business, and the Law Index Score, 2021**

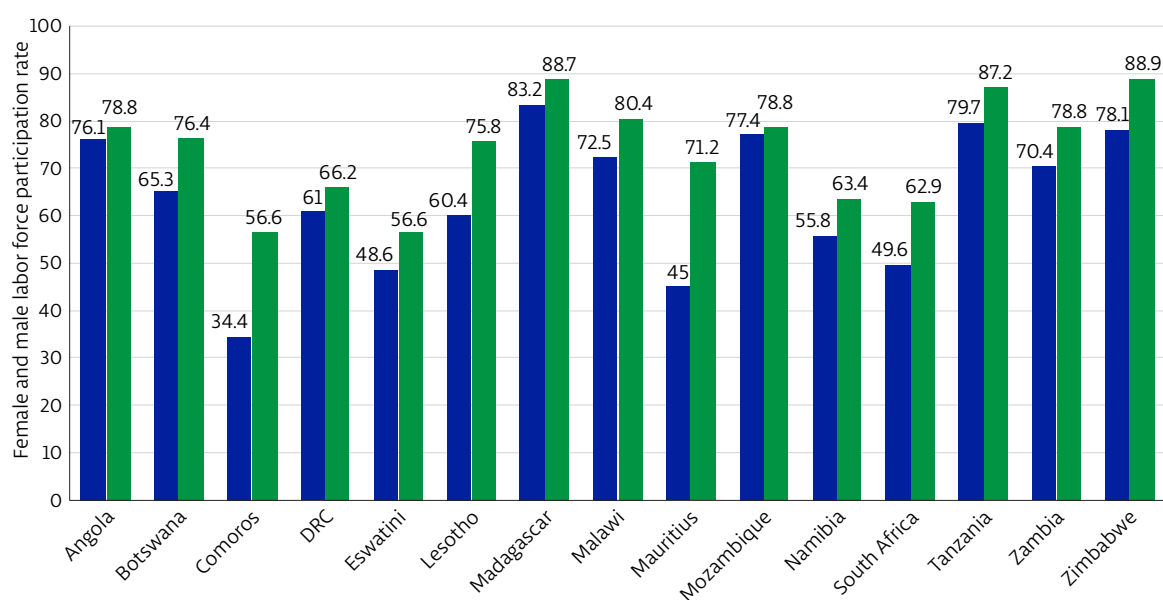


Source: World Bank 2021b.

LFPR = labor force participation ratio.

In practice and among SADC countries, Lesotho's record of closing gender gaps in economic participation and opportunities is poor. The female-male labor force participation ratio was 79.7 as of 2019—the fourth lowest in SADC after Comoros (60.8), Mauritius (63.2), and South Africa (78.8) (World Bank 2021a). Not only is the gender gap large, but women's absolute level of participation is low, where it has the fifth lowest female labor force participation (2019) (figure C.16). Projections show that gender gaps in labor force participation are wider since the outbreak of the pandemic, and globally the overall economic gender gap may be between 1 percent and 4 percent wider than reported (World Economic Forum 2021). Lesotho fell from rank 76th on labor force participation to 77th (World Economic Forum 2020, 2021).

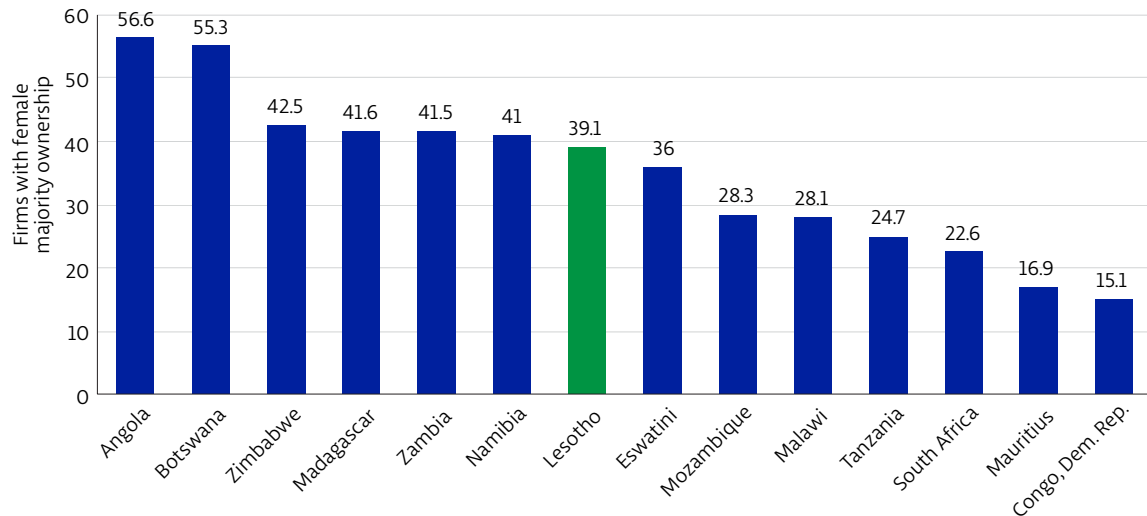
**Figure C.15: SADC: Female and Male Labor Force Participation Rate (Modeled ILO Estimate), 2019**



Source: World Bank 2021a.

In the case of women in leadership positions in the public and private sectors in SADC countries, Lesotho ranks seventh in terms of female majority ownership of firms (39.1 percent versus 60.9 percent for men), but this represents an increase since the 2020 proportions of 25.4 percent female, 74.6 percent male (figure C.17).

**Figure C.16: SADC: Firms with Female Majority Ownership, 2021 (% of Firms)**



Source: World Economic Forum 2021.

## Wage Equality

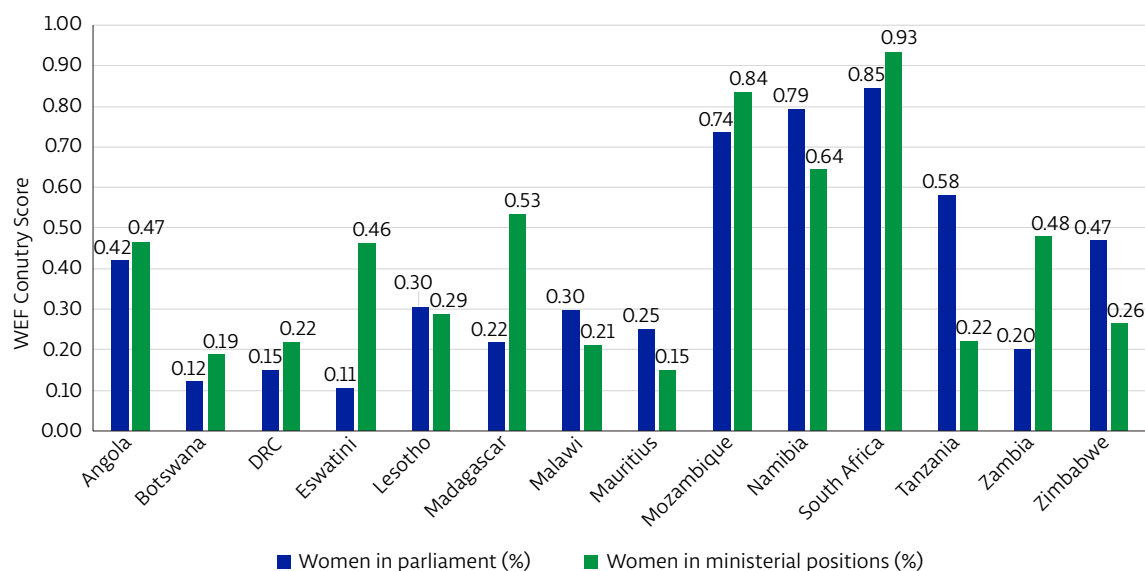
On wage equality, Lesotho ranks lower in Sub-Saharan Africa, dropping five ranks in the GGI on this dimension since 2020, from 133rd to 138th (World Economic Forum 2021). Lesotho scores 0.46 out of a possible high score of 1.0, compared to its score of 0.49 in 2020. This is likely linked to the impact of the COVID-19 pandemic, and further research is required to determine with certainty the reason for the decline in its ranking. There is a common pattern in the region whereby wage inequality has risen, contrary to the global level, where it has been decreasing (equality index increasing globally from 0.613 to 0.628). Neighboring countries have seen their situation deteriorate with regard to the gender wage gap, with South Africa's ranking falling from 121st to 131st, Eswatini's from 59th to 67th, and Botswana's from 33rd to 45th. Lesotho's decline, however, reveals a more pronounced level of gender wage inequality.

## Voice and Agency

### Women's Representation in Decision-Making

Lesotho ranks low on female representation in parliament and is third in SADC, after Namibia and South Africa, in women's representation in local government (Gender Links 2018). Lesotho's 23 percent female representation in parliament is low compared with South Africa (45.8 percent). Women in ministerial positions average only 15 percent in Lesotho compared with 31 percent in Eswatini and 49 percent in South Africa (figure C.18). Rwanda ranks the highest globally, with 61 percent female representation in parliament (World Economic Forum 2020). At the government level, with regard to women in ministerial positions, Lesotho's ranking in the region has fallen. On the WEF GGI political empowerment dimension, Lesotho's current ranking of 91st out of 155 countries shows a decline from 41st out of 115 countries in 2006 (World Economic Forum 2021). At the local level, participation in community decision-making is still impeded by the restriction of the position of chief to men under the 1968 Chieftainship Act.



**Figure C.17: SADC: Women in Parliament and in Ministerial Positions (%)**

Source: World Economic Forum 2021.

## Gender-Based Violence

Prevalence of gender-based violence in Lesotho is higher than the global average. About 42.8 percent of Basotho women have experienced physical or sexual violence in their lives, more than half (52.4 percent) within the past 12 months (Commonwealth Secretariat 2020). This is high compared with global estimates for gender-based violence, which are at 30 percent (WHO 2021). For the Southern Africa subregion, according to the World Health Organization (WHO), estimates are 29.7 percent for intimate partner violence and 17.4 percent for non-partner sexual violence (WHO 2013).

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# Appendix D. COVID-19 Impacts on Lesotho

## Impacts on Human Endowments

Disruptions to the organization of daily life due to the COVID-19 pandemic compounded preexisting gender inequalities and aggravated gaps, for example in learning opportunities and dropout rates. It is important to note at the outset that the full impact of COVID-19 pandemic on existing gender gaps in the country is not known.

## Health

As the COVID-19 crisis has disrupted health system services, sexual and reproductive health has been particularly affected. Experience from other infectious disease outbreaks shows that access to sexual and reproductive health during pandemics often suffers as the health system is overwhelmed, resources are diverted toward lifesaving interventions, and confinement measures complicate access to clinics. An increase in teenage pregnancy and maternal mortality often results (IRC 2020; RCCE 2020). A United Nations Population Fund (UNFPA) assessment of the COVID-19 response in the Southern African Development Community (SADC) found that family planning and contraception was amongst the most disrupted services. A set of 25 tracer indicators were used to monitor disruption in health services: services were reporting on average 50 percent of tracers disrupted, while family planning and contraception reported 68 percent.

## Education

The closure of all schools in Lesotho was mandated as part of the COVID-19 lockdown. A few institutions, mainly private schools and tertiary institutions continued using online learning platforms. In a United Nations Development Programme (UNDP) survey, 22 percent of households reported using online platforms to engage with teachers. The government facilitated learning programs on television and radio (UNDP 2020). The disruption and school closures tended to have a disproportionate impact on women and girls, who bear the brunt of domestic work and childcare, and as such would receive the least benefit from remote learning initiatives. That only 22 percent of households reported online engagement suggests that a majority of learners were unable to access any teaching during the lockdown. This put additional pressure on mothers, adding to the risks of losing their jobs and keeping them away from the labor market, because of the extra challenge of articulating work duties and family responsibilities. This was accentuated by the attitude toward gender roles inside the household, and the overrepresentation of women in informal and lower-paid jobs. This also presents a concern, giving the already high levels of dropout at secondary level. Lack of contact with teachers affects learning outcomes and year-end examination results. The gender parity ratio of learners affected by COVID-19-related school closures was found to be the highest in Lesotho amongst Eastern and Southern African countries: 1.06 times more girls than boys were affected by the closure (UN Women 2020), but this was partly a mechanical consequence of higher boys' dropout rates in poorer and rural areas.

## Impacts on Economic Endowments

Because of their overrepresentation in certain sectors, women are hardest hit by the impacts of the COVID-19 pandemic. As the majority of cleaners and domestic workers, nurses and health professionals, and service workers in essential sectors (such as supermarkets cashiers), women face a high risk of contagion. As workers in vulnerable sectors, including subsistence agriculture and microenterprises, many have a fragile safety net to weather economic shocks. The COVID-19 lockdown restrictions kept informal sector workers—including male and female street vendors—out of work. However, women were the most hit because gendered norms assign women caregiving responsibilities for children and elder family members, as a consequence of which women also bear the brunt of school closures and care for ill family members.

## Labor Market Participation

With the COVID-19 crisis, the dynamics of labor participation by gender have dramatically changed since 2020, and trends have been reversed. Labor participation of women ages 15 and above decreased by 0.3 percentage points. This cancelled the gains of the previous three years and reversed a third of the progress made continuously over the past eight years. Symmetrically, the participation of men ages 15 and above increased by 0.3 percentage points, returning to levels unseen in the past six years (International Labour Organization estimates). The data suggests very different stories for COVID-19's impact on men and women workers. The positive news on women's unemployment rate (–0.3 percent from 2020 to 2021) was accompanied by a decrease in participation, which seems to indicate that jobless women became discouraged from even trying to find a job. Women losing their jobs seem to have exited the market altogether. For men, the increase in labor participation did not even come at the cost of a higher unemployment rate. This suggests that men were more expected than ever to provide for their families, and that the job market accommodated that extra labor supply.

## Exposed Sectors: Care, Tourism, Textiles

As most cleaners and domestic workers, nurses and health professionals, and service workers in essential sectors (such as supermarkets cashiers) are women, women face a higher risk of contagion and job losses. As workers in vulnerable sectors, including subsistence agriculture and microenterprises, many have a fragile safety net to weather economic shocks. Households surveyed by the Bureau of Statistics report a higher number of female respondents (91.4 percent) who had stopped working during the 2020 lockdown, as opposed to 63.1 percent of males.

The textile sector had already begun to stagnate prior to COVID-19, and the trend has become worse with the disruption of supply chains and a drop in demand for luxury goods (such as clothing) in the top recipient countries for Lesotho's textile exports (the United States of America and South Africa). The Lesotho government anticipates at least 4,000 textile jobs could be lost due to COVID-19, and it is covering a portion of workers' lost wages through the Disaster Relief Fund (Government of Lesotho 2020). The manufacturing sector is set to record a disappointing growth of 14.2 percent in 2020/21, and the female-dominated textile clothing and footwear segments are expected to contract by 18.6 percent.<sup>134</sup> Media reports indicate that some of the big factories are closing because of the economic stress due to COVID-19 and thousands of textile workers will be without jobs in May 2021. Over 3,000 textile workers at Nien Hsing (the largest factory) were let go because of financial and other constraints as the COVID-19 mitigation regulations of 2021 permitted only 50 percent operation (Sekete and Sebusi 2021). This is in addition to workers who were retrenched at the start of the lockdown in 2020. According to trade union sources, the firm will be closing their sewing, cutting, and packing departments, which are dominated by women.

The tourism sector has also been hard hit by the COVID-19 crisis. In 2018, the Lesotho government estimated that more than 1.1 million international tourists visited Lesotho, a number that has expectedly dropped dramatically due to COVID-19 (Government of Lesotho 2020). Women have been significantly affected, as they make up the majority

<sup>134</sup> Minister of Finance budget speech.

of the workers in the tourism sector, primarily in food services and hospitality, where they constitute 59 percent of workers. Within the tourism sector, women occupy lower-skilled jobs than men: in 2018, women held only 36 percent of skilled jobs in the industry, and 60 percent of unskilled jobs (LTDC 2019).

### **Entrepreneurship**

Micro, small, and medium enterprises (MSMEs) have been hard hit by the COVID-19 lockdown measures and are expected to bear the brunt of the economic fallout as the crisis continues. The Lesotho government has included measures in its Disaster Relief Fund to provide matching grants conditional on maintaining workforce, rental subsidies, suspension of licensing payments, and negotiated settlements for utility payments (Government of Lesotho 2020).

### **Impacts on Ownership of Assets**

Gaps in land rights, land grabbing, and possibility of recourse were aggravated, as in the whole Southern African region. Pressure increased on subsistence farming, predominantly undertaken by women farmers, and disrupted farm activity, compounded by illness and lack of resources, increasing poverty and nutrition insecurity of women.

Women's land rights, already weakened due to customary law and practices, were further compromised because of the COVID-19 lockdown measures. The lockdown's restriction on movement and services resulted in a negative impact on women's access to land, including as a resource for their livelihoods. Land grabbing and dispossession from widows are common in Lesotho. Research from Advancing Rights in Southern Africa reports a case study of a woman who was dispossessed of her land due to inheritance disputes, which, due to customary law, remain in favor of men. With the COVID-19 restrictions, such cases were exacerbated as aggrieved individuals practically could not access courts and other services such as lawyers for recourse and redress. As movements were limited within the country and across borders, possible witnesses and family members who could have intervened in the case were prevented from doing so (ARISA and USAID 2020).

COVID-19 has affected a significant proportion of the country's small-scale farmers (mostly women) and households who are dependent on the use of land for livelihoods and agriculture. Though women's land tenure is insecure and often contested, they continue to be responsible for subsistence farming to produce food to be consumed by the household. The Lesotho Vulnerability Assessment Committee projected that in April–September 2020 food-insecure households would have reached a total of 180,000 because of the effects of the COVID-19 pandemic. Below-average rainfall in 2020 and the effects of the 2019 drought will affect agriculture-dependent households (UNDP 2020). This affects women disproportionately, as they account for most agricultural workers (World Bank 2020). The Bureau of Statistics reports that slightly over 50 percent of households surveyed were unable to continue with normal farm activities during the initial 2020 lockdown. A further analysis indicates that the reasons for disrupted farm activity included having to take care of ill family members; restrictions on movement; inability to acquire inputs; and reduced availability of hired labor (Bureau of Statistics 2020).

### **Impacts on Voice and Agency**

While gender-based violence has been exacerbated, the policy response has not directly addressed the prioritization of compliance with COVID-19 safety measures over ensuring domestic safety of women and girls. This has compounded the issue. Support services to survivors remained open and nongovernmental organizations ramped up awareness activities. Forced marriage or "bride kidnapping" is an area of particular concern to be monitored.

### **Incidence of Gender-Based Violence and Policy Response**

Gender-based violence prevalence is high and increasing with the COVID-19 crisis. Lessons learned show that gender-based violence has increased with economic shocks, including the recent droughts (UNFPA and Government of Lesotho 2016). This trend is expected to continue during the COVID-19 crisis. The Minister of Gender and the Lesotho

Mounted Police Service reported an increase in the number of cases, mostly of rape, during the initial five-week lockdown period; reports to nongovernmental organizations are also increasing.

The Minister of Gender has noted that incidences of domestic violence increased over the course of 2020, with cases in Leribe district higher than most. Reporting was constrained by the COVID-19 lockdown restrictions on movement.<sup>135</sup> The increase in domestic violence has been attributed to stresses and tensions within families, which have been exacerbated by lockdown restrictions that confined people at home, limited their movements, and reduced incomes. Social norms that place men as providers have increased their frustration during this period, with reports noting that men deprived of work and income and confined at home were complaining that they “are turning into women.” The upset in power dynamics in this way can contribute to increased violence within the home (Molapo 2020).

According to the United Nations COVID-19 Global Gender Response Tracker, of the eight measures instituted by the government of Lesotho to address the COVID-19 crisis, none were regarded as gender sensitive or explicitly addressing violence against women, even though violence is known to increase during crises and emergencies, including the COVID-19 lockdown, as women are restricted to their homes. No additional measures or resources were directed to address gender-based violence. Compliance with COVID-19 safety measures was prioritized over ensuring the safety of women and girls.

## Support Services

Gender-based violence services, namely the police and health facilities, the Lapeng one-stop center for gender-based violence survivors in Maseru, and selected nongovernmental organizations, were deemed essential and remained open during the lockdown periods. However, due to lockdown restrictions on movement, some survivors may not have been able to travel to police stations and health centers. Nongovernmental organizations were instrumental in conducting communications campaigns and raising awareness on gender-based violence and where survivors could report and access services. A consortium, including UNFPA, GIZ, and nongovernmental organizations such as Gender Links and Karabo ea Bophelo, set up a gender-based violence reporting helpline, arranged for staff to be on standby to provide services and support to survivors, and provided funding for the distribution of sexual and reproductive health and rights products.

## Forced Marriage

A key form of gender-based violence that could increase with the COVID-19 crisis is the practice of forced marriage. The practice often involves sexual or physical violence and is couched as the cultural practice of “bride kidnapping.” UNICEF (2018) estimates that 17 percent of women ages 20–24 were married before the age of 18. In a national review of violence against children, the Ministry of Social Development identified child marriage as a harmful traditional practice that is “often supported by the family and includes offering a daughter for dowry; marriage as a result of abduction; and forcing marriage as a resolution following rape—a practice often condoned by communities” (UNICEF 2015).

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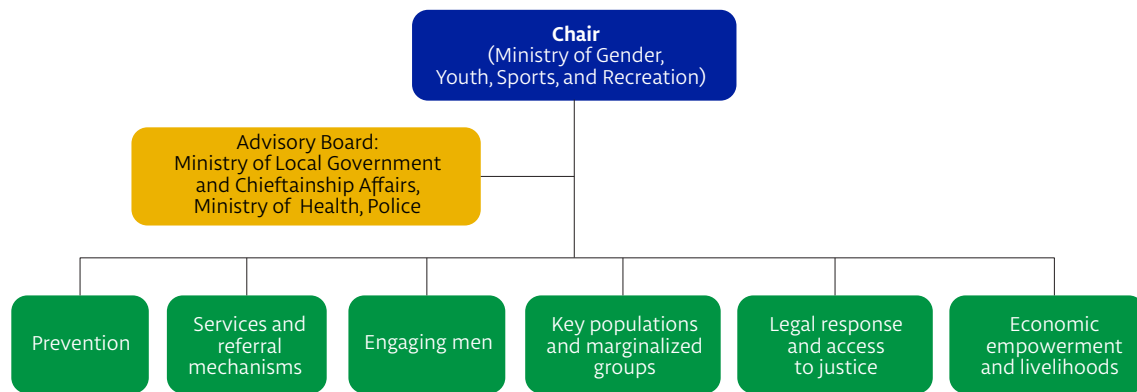
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# Appendix E. Anti-GBV Coordination Forum

## Structure of the Forum



## Aims of the Forum

- Develop a common and coherent framework for eliminating gender-based violence in Lesotho.
- Advise on national legislation, policies, and guidelines.
- Strengthen evidence-based prevention and response efforts for gender-based violence, including through sharing and promoting best practices, documents and data between stakeholders and the public at large.
- Reduce duplication of efforts and strengthen synergies between stakeholders working on gender-based violence prevention and response.

## Intended Actions of Forum Moving Forward

A national action plan on gender-based violence will be developed to better coordinate response actions, including the following activities.<sup>136</sup>

- Launch a countrywide and impactful advocacy campaign among the government ministries responsible for social development, gender, education, and the police. *The campaign would have a clear outreach and service strategy on gender-based violence, especially transforming harmful traditional practices such as child marriage and bride kidnapping.*
- Prepare a training plan for everyone involved in handling gender-based violence cases.
- Establish a data collection system and manage a database.

<sup>136</sup> Consultations with Gender-Based Violence Liaison Officer, Department of Gender, Ministry of Gender, Youth, Sports and Recreation.

- Secure resources (financial and human) for the Lapeng one-stop center for gender-based violence survivors. *The shelter needs to engage professional staff to enable it to offer efficient and effective services to survivors. There is a need for more social workers to enhance the team currently in place, as well as a psychologist, a lawyer, and an assistant nurse. The center further requires equipment, drugs, and other logistics for comprehensive support and care to gender-based violence survivors.*
- Expand service outreach. *Access to shelter should be expanded to the northern and southern regions of the country. There is just one shelter located in Maseru serving all districts of Lesotho. There is also a need to strengthen the capacity of the existing center and make use of local government structures to be able to service more victims.*
- Strengthen psychosocial support capacity. *Psychosocial support training is needed to capacitate both the professional and support staff to enable them to handle cases of gender-based violence effectively. There is also a need for social workers to be based in districts to assist principal gender officers with handling cases of gender-based violence.*
- Establish a national data hub for collection and storage of data on gender-based violence. *The data would help to inform national programming and response. The Department of Gender has identified the need for technical capacity building to ensure rigorous, ethical, and scientific collection of data on gender-based violence on its website, which is intended to serve as an open-source data platform.*
- Establish gender audit and mainstreaming.
- Ensure effective referral pathways are in place.
- Set up a gender commission with the mandate to promote, protect, monitor, and evaluate gender equality through research, public education, policy development, legislative initiatives, effective monitoring, and litigation.

# Appendix F. Additional Data on Economic Opportunities Domain

**Table F.1: Distribution of Employed by Education Level, Formality, and Sex, 2019**

Educational attainment	Formal employment		Informal employment	
	Male	Female	Male	Female
None	15.5	0.0	76.6	7.9
Nonformal education	38.8	0.0	61.2	0.0
Preschool	0.0	0.0	65.6	34.4
Primary school	9.7	3.7	46.1	40.5
Secondary school	10.1	8.0	36.0	45.9
High school	21.5	15.1	28.2	35.2
Diploma or certificate, primary school	35.6	33.7	18.0	12.7
Vocational and technical qualification (primary, secondary, high school)	35.0	17.1	34.9	13.0
Diploma or certificate, secondary and high school	29.1	39.6	13.9	17.3
Graduate	38.1	46.4	8.6	6.9
Never attended	10.9	0.5	79.8	8.7
Total	15.5	12.3	37.2	35.0

Source: Bureau of Statistics, 2021.

**Table F.2: Informal and Formal Employment by District and Sex, 2019**

District	Formal employment		Informal employment	
	Male	Female	Male	Female
Botha Bothe	16.4	11.3	43.6	28.7
Leribe	13.8	10.6	36.7	38.8
Berea	18.5	15.9	31.5	34.1
Maseru	16.7	14.4	32.4	36.5
Mafeteng	16.3	8.7	41.7	33.3
Mohale's Hoek	11.7	8.4	46.8	33.0
Quthing	14.9	13.2	41.9	30.0
Qacha's Nek	15.7	15.7	42.6	26.0
Mokhotlong	15.0	7.0	40.6	37.4
Thaba-Tseka	10.1	6.4	47.1	36.3

Source: Bureau of Statistics, 2021.

**Table F.3: Distribution of Employed Population (15+ Years) by Formality, Occupation, Sex, and Mean Monthly Earnings, 2019**

Occupation	Mean monthly earnings	Male (%)	Female (%)
Managers	13,965.74	66.2	33.8
Professionals	9,178.04	34.3	65.7
Armed forces occupations	7,804.69	86.6	13.4
Technicians and associate professionals	7,771.63	47.9	52.1
Clerical support workers	5,051.64	37.7	62.3
Craft and related trades workers	4,246.96	72.6	27.4
Plant and machine operators and assemblers	3,888.41	61.1	38.9
Skilled agricultural, forestry, and fishery workers	3,276.09	62.0	38.0
Service and sales workers	2,952.69	40.5	59.5
Elementary occupations	2,233.93	51.8	48.2

Source: Bureau of Statistics, 2021.

**Table F.4: Industry, Mean Monthly Earnings, and Sex Distribution, 2019**

Industry	Mean monthly earnings	Male (%)	Female (%)
Activities of households as employers	1,606.86	9.3	24.9
Manufacturing	2,499.35	7.5	18.3
Wholesale and retail trade; repair of motor vehicles and motorcycles	3,615.38	12.0	15.6
Education	7,607.66	3.2	9.0
Agriculture, forestry, and fishing	2,200.98	17.4	7.6
Accommodation and food service activities	2,994.89	1.3	6.0
Public administration and defense; compulsory social security	—	7.0	4.9
Human health and social work activities	6,283.78	1.7	4.0
Other service activities	2,801.55	1.4	2.4
Administrative and support service activities	2,446.24	4.1	1.1
Financial and insurance activities	8,632.08	0.7	1.0
Activities of extraterritorial organizations and bodies	7,296.02	0.6	1.0
Construction	4,270.39	16.0	0.9
Mining and quarrying	9,189.14	8.3	0.6
Water supply; sewerage, waste management, and remediation activities	5,556.59	1.2	0.4
Real estate activities	15,320.62	0.2	0.4
Professional, scientific, and technical activities	6,795.51	0.4	0.4
Not stated	—	0.3	0.4
Transportation and storage	7,522.67	6.2	0.3
Information and communication	9,315.88	0.5	0.3
Arts, entertainment, and recreation	3,058.31	0.4	0.3
Electricity, gas, steam, and air conditioning supply	10,138.89	0.3	0.1

Source: Bureau of Statistics, 2021.

— = not available.

**Table F.5: Percentage Distribution of Employed Population (15+ Years) by Industry and Sex, 2019**

Industry	Male (%)	Female (%)
Agriculture, forestry, and fishing	17.4	7.6
Mining and quarrying	8.3	0.6
Manufacturing	7.5	18.3
Electricity, gas, steam, and air conditioning supply	0.3	0.1
Water supply; sewerage, waste management, and remediation activities	1.2	0.4
Construction	16.0	0.9
Wholesale and retail trade; repair of motor vehicles and motorcycles	12.0	15.6
Transportation and storage	6.2	0.3
Accommodation and food service activities	1.3	6.0
Information and communication	0.5	0.3
Financial and insurance activities	0.7	1.0
Real estate activities	0.2	0.4
Professional, scientific, and technical activities	0.4	0.4
Administrative and support service activities	4.1	1.1
Public administration and defense; compulsory social security	7.0	4.9
Education	3.2	9.0
Human health and social work activities	1.7	4.0
Arts, entertainment, and recreation	0.4	0.3
Other service activities	1.4	2.4
Activities of households as employers	9.3	24.9
Activities of extraterritorial organizations and bodies	0.6	1.0
Not stated	0.3	0.4
Total	100	100

Source: Bureau of Statistics, 2021.

**Table F.6: Percentage Distribution of Youth Population (15–35 Years) Not in Employment, Education, or Training, by District and Sex, 2019**

District	Male (%)	Female (%)
Botha-Bothe	40.0	60.0
Leribe	38.3	61.7
Berea	44.0	56.0
Maseru	32.8	67.2
Mafeteng	41.6	58.4
Mohale's Hoek	44.5	55.5
Quthing	34.0	66.0
Qacha's Nek	30.6	69.4
Mokhotlong	33.8	66.2
Thaba-Tseka	31.7	68.3
Total	36.5	64.5

Source: Bureau of Statistics, 2021.



**Table F.7: Mean Monthly Earnings by Education Level and Sex**

Education level	Male	Female	Female earnings as % of male earnings <sup>a</sup>
Graduate (degree and postgraduate)	13,295.37	10,923.53	82
Vocational and technical after primary, secondary, and high school	9,040.04	4,104.78	45
Diploma or certificate after secondary and high school	7,821.62	6,915.77	87
Diploma or certificate after primary school	4,726.60	6,127.87	130
Nonformal education	4,801.75	—	—
High school	5,315.21	2,809.07	53
None	4,150.77	770.00	19
Secondary school	4,382.70	2,479.65	57
Primary school	3,132.65	1,861.38	59
Preschool	1,321.20	4,714.34	357
Other qualification	—	1,800.00	—

Source: Bureau of Statistics, 2021.

— = not available.

a. Author calculations.

# Appendix G. Progress, Key Challenges, and Overview of Main Drivers in Addressing Gender Gaps in Lesotho

**Table G.1: Progress Made in Laws and Policies and Other Areas, by Thematic Area**

Thematic area	Laws and policies	Other areas
Education	<ul style="list-style-type: none"> <li>The Children's Protection and Welfare Act of 2011 requires that no child shall be expelled or denied the right to education by any educational institute on account of pregnancy, initiation, or other cultural rituals, and the Education Act of 2010 includes provision that prohibits discrimination against learners</li> </ul>	<ul style="list-style-type: none"> <li>Parity achieved at primary school level</li> <li>Increased presence of girls at all levels</li> <li>World Economic Forum (WEF) Global Gender Gap Index (GGI) ranks Lesotho first for educational attainment in Sub-Saharan Africa</li> <li>Lesotho is one of three countries in Sub-Saharan Africa (along with Botswana and Namibia) to have closed the gender gap in access to education (WEF 2021)</li> <li>Lesotho has a strong representation of women in higher education in SADC</li> </ul>
Health	<ul style="list-style-type: none"> <li>Lesotho National AIDS Strategy, 2017</li> <li>The Sexual Offences Act, 2003, provides for compulsory HIV testing for the purposes of sentencing a person charged with a sexual offence</li> </ul>	<ul style="list-style-type: none"> <li>Health gender gap is almost closed</li> <li>Good access to HIV testing and prevention of mother-to-child transmission, and increasing proportion of HIV-positive women accessing treatment</li> <li>High availability of skilled birth attendants at 86.6 percent</li> <li>WEF GGI ranks Lesotho first for health and survival in Sub-Saharan Africa</li> <li>In 2018, 82.8 percent of women of reproductive age (15–49 years) had their need for family planning satisfied with modern methods</li> </ul>
Gender-based violence	<ul style="list-style-type: none"> <li>Lesotho does not have a stand-alone law or policy on gender-based violence but some forms of gender-based violence are regulated</li> <li>Tabling of the Counter Domestic Violence Bill in parliament for a first reading in 2021</li> </ul>	<ul style="list-style-type: none"> <li>In 2019, the Department of Gender launched the Anti-GBV Coordination Forum as a multistakeholder strategy to implement interventions to take action on gender-based violence</li> <li>A roadmap to address several existing gaps in the gender-based violence landscape and a monitoring and evaluation framework tool have been developed and are pending implementation</li> <li>A proposed tool to coordinate collection of data on gender-based violence across various ministries, departments, agencies, and nongovernmental organizations has been developed and is pending review and approval</li> </ul>

Thematic area	Laws and policies	Other areas
Child marriage	<ul style="list-style-type: none"> <li>The Marriage Act of 1974 prescribes the age of entering into a valid marriage as 21 years; however, the law makes exceptions, allowing a boy of 18 years or a girl of 16 years to enter into a valid marriage with either parental or a guardian's consent</li> <li>The Children's Protection and Welfare Act of 2011 protects children and girls from all forms of exploitation, violence, and sexual abuse; it states that a child is a person aged 18 years and below</li> </ul>	<ul style="list-style-type: none"> <li>A national strategic vision plan to end child marriages with specific timelines, clear targets, and indicators has been developed</li> <li>Her Majesty Masenate Mohato Seeiso, the Queen of Lesotho, has campaigned with World Vision against child marriage</li> </ul>
Land rights	<ul style="list-style-type: none"> <li>The Land Act of 2010 guarantees all persons age above 18 years, irrespective of gender, the right to hold title to land (Paradza 2018)</li> </ul>	<ul style="list-style-type: none"> <li>Following passing of the Land Act, registration efforts have significantly improved women's formal ownership in urban areas</li> <li>Training programs have been provided for chiefs and community councils on the provisions of the Land Act</li> </ul>
Economic empowerment	<ul style="list-style-type: none"> <li>The government of Lesotho has enacted laws and policies aimed at protecting women's economic rights and access to productive resources</li> <li>The Legal Capacity of Married Persons Act of 2006 removes the minority status of women and in this way promotes equal and therefore greater economic participation of women</li> </ul>	<ul style="list-style-type: none"> <li>Lesotho scores the fifth highest for the proportion of female legislators, senior officials, and managers in SADC, and fourth highest for the female proportion of professional and technical workers (WEF 2021)</li> <li>Lesotho has the third highest score of Southern African Customs Union countries on the Women, Business, and the Law Index (2021)</li> </ul>
Employment	<ul style="list-style-type: none"> <li>The Labour Code, 1992, as amended, gives men and women equal opportunities to employment and notes that dismissal during maternity leave constitutes unfair dismissal; it also provides for maternity leave in the public and private sectors, ranging between 6 and 12 weeks depending on the sector of employment</li> <li>The Companies (Amendment) Act, No. 7 of 2008, grants women company ownership and directorship rights without the consent of the husband</li> <li>The Pensions (Amendment) Order No. 12 of 1992 entitles women in the public sector to a pension</li> </ul>	<ul style="list-style-type: none"> <li>Decent Work Country Programme 2019–2023, International Labour Organization (ILO) and Ministry of Labour and Employment</li> <li>An assessment of the enabling environment for women's enterprises in Lesotho (2011)</li> <li>Girls Empowerment Programme focused on entrepreneurial training (2010)</li> </ul>
Financial inclusion	<ul style="list-style-type: none"> <li>National Financial Inclusion Strategy (2017–2021): a diagnostic of what was achieved under the strategy is ongoing to inform an updated strategy, which is in the planning phase</li> <li>Secured Interest in Movable Property Law and Regulations, 2016, while not specifically targeting women, is likely to benefit female entrepreneurs who due to historical barriers continue to have less access to traditional forms of collateral, such as land, commonly acceptable to financial institutions</li> <li>Land Act, 2010</li> <li>The Legal Capacity of Married Persons Act, 2006, contributes indirectly to ensuring women's control of assets and access to credit; applicable regulations do not prohibit discrimination by gender or marital status</li> </ul>	<ul style="list-style-type: none"> <li>Women have achieved parity with men in terms of access to formal bank accounts</li> <li>Lesotho has the highest percentage of firms with female participation in ownership in the formal sector in Sub-Saharan Africa—39.1 percent, where the average rate is 29 percent</li> <li>Mobile money has increased financial inclusion, enabling vulnerable groups such as women to use financial services in remote and mountainous areas of the country</li> <li>The Central Bank has recently put in place more gender-informed credit reporting systems</li> </ul>

Thematic area	Laws and policies	Other areas
Voice and agency	<ul style="list-style-type: none"> <li>The Legal Capacity of Married Persons Act of 2006 removed the minority status of women</li> </ul>	<ul style="list-style-type: none"> <li>Lesotho ranks third in SADC after Namibia and South Africa in women's representation in local government</li> <li>There are 35 women in the parliament, 28 out of 120 seats in the National Assembly, and 7 of 32 seats in the Senate; this is just below the global average of 24.5 percent (IPU 2019)</li> <li>Between 2005 and 2011, the Local Government Elections Act required that 30 percent of all newly created single-member electoral divisions (distributed across the newly created councils) be reserved for female councillors</li> </ul>

**Table G.2: Gender Gaps by Thematic Area and Overview of Main Drivers**

Thematic area	Key challenges and gender gaps	Overview of main drivers
Health	High rates of teenage pregnancy	<ul style="list-style-type: none"> <li>Intergenerational sex and challenges with safe sex</li> <li>High rates of child marriage</li> <li>Lack of access to or use of contraceptives</li> <li>Poverty, unemployment and food insecurity</li> <li>Disruption of health services due to COVID-19</li> <li>Lack of access to health services in rural areas</li> </ul>
	High rates of maternal mortality, particularly for adolescent girls	<ul style="list-style-type: none"> <li>Drivers of high rates of maternal mortality are linked to a human resources challenge and the poor quality of care, which impacts the population generally</li> <li>Drivers of high maternal mortality are also linked to:               <ul style="list-style-type: none"> <li>Low levels of postnatal care</li> <li>HIV/AIDS</li> <li>Teenage pregnancy and birth complications</li> <li>Low access to skilled birth attendance in rural areas and distant health facilities</li> </ul> </li> </ul>
	High rates of HIV/AIDS, particularly for adolescent girls	<ul style="list-style-type: none"> <li>Intergenerational sex makes it difficult to discuss safe sex</li> <li>Lack of access to contraceptives</li> <li>Social norms that make it difficult for women to talk about contraception</li> <li>Gender-based violence</li> <li>Lack of comprehensive sexual education at school</li> </ul>
	High rates of gender-based violence	<ul style="list-style-type: none"> <li>Gaps in legislation countering domestic violence</li> <li>Poverty and unemployment exacerbated by COVID-19</li> <li>Social norms that deem violence against women to be acceptable</li> <li>Lack of sustainability of interventions, in particular targeting prevention</li> <li>Inadequate coordination, implementation, enforcement, and monitoring of existing laws</li> </ul>
Education	High dropout rates for girls at the secondary school level	<ul style="list-style-type: none"> <li>Teenage pregnancy: stigma makes it difficult for girls to return to school, many schools expel girls</li> <li>Poverty and inability to pay schooling fees</li> <li>Lack of childcare</li> <li>Burden of household and childcare on women</li> </ul>
	High dropout rates and low literacy levels for boys, particularly in rural areas	<ul style="list-style-type: none"> <li>Initiation schools</li> <li>Social norms</li> <li>Pressure to support family livelihoods driving entry into herding and small-scale farming</li> </ul>
	Low participation of girls in STEM studies	<ul style="list-style-type: none"> <li>Social norms resulting in girls self-selecting out of science, technology, engineering, and mathematics (STEM) studies</li> <li>Stereotype that girls are not good in STEM studies</li> <li>Lack of role models</li> </ul>

Thematic area	Key challenges and gender gaps	Overview of main drivers
Employment	Women dominate sectors where the pay is lower and are at greater risk of unemployment due to COVID-19, e.g. tourism, textiles	Lack of accessible and affordable childcare Short and often unpaid maternity leave Girls are discouraged from pursuing STEM studies, which are better paid
	Women face barriers to upward mobility	Lack of childcare facilities and paid maternity leave, which is not mandated in the private sector Women are not remunerated and are not guaranteed an equivalent position when they take maternity leave beyond prescribed leave Discrimination and patriarchal norms that position men as the decision-makers Burden of household responsibilities and childcare on women
Access to land	Despite amendments to the Land Act of 2010, women continue to face barriers to accessing land	Contradictions between customary and statutory law Limited implementation capacity Lack of awareness about the law Women's claims to land are often unable to stand up to contestation by male relatives due to cultural and social norms Lack of a rural land registration system
Financial inclusion and entrepreneurship	Female-owned businesses tend to start and stay small and are concentrated in a few sectors and for subsistence and survival	Policy solutions are not tailored to meet women's needs
	Programs for female entrepreneurs face a number of limitations	Programs are small in terms of investment size and beneficiaries, primarily concentrated in Maseru city and of limited scope, impact, and scalability Legal discrimination Social norms More care responsibilities and roles Differences in endowments, e.g. access to education
Voice and agency	Women's limited representation in parliament	Gender biases within the electoral system as well as in society, including among women voters Quotas for women's representation at the national level are limited to proportional representation Unfavorable political party internal democracy
	Women are often excluded from traditional power structures	Discriminatory laws excluding women from chieftainship (Chieftainship Act of 1968) Women have faced challenges to increasing their representation at the local level Patriarchal norms that position men as the key decision-makers

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# Appendix H. Gender Knowledge Gaps and Potential Areas for Further Research

Many official registries and ministries, departments, and agencies do not disaggregate by sex, which is a major obstacle to understanding and assessing the determinants of gender gaps (Molato 2021). Furthermore, the Bureau of Statistics prepares gender booklet reports on gender gaps and gender mainstreaming. However, the reports are not based on surveys but rather on desk reviews of government reports, Bureau of Statistics data, and nationally representative surveys, some of which are outdated.

Data are often incomplete or collected in a piecemeal fashion. Given the limited implementation capacity and coordination on gender, piecemeal data collection is taken up by several ministries independently, leading to both duplication of efforts and disparate findings, which cannot be effectively utilized toward conducting a comprehensive assessment of gender gaps in the country (UN Women n.d.). As of December 2020, only 33.6 percent of indicators needed to monitor the SDGs from a gender perspective were available in Lesotho, with gaps in key areas, particularly violence against women and labor market indicators, such as the unemployment rate and gender pay gaps. In addition, many areas—such as gender and poverty, physical and sexual harassment, women’s access to assets (including land), and gender and the environment—lack comparable methodologies for regular monitoring (UN Women n.d.).

Recent efforts by the Lesotho government to collect regular data are only partially functional. For example, the National Information System for Social Assistance includes sex-disaggregated data on income, food security, participation in agriculture and husbandry, ownership of livestock, and ability to send children to school. New national surveys have been developed, with the plan to administer them regularly. Chief among these is the Continuous Multipurpose Household Survey/Household Budget Survey (CMS/HBS), which is intended to be conducted biannually. It includes indicators for employment and income and can be disaggregated by sex. However, it is not a full labor force survey and does not include key labor market indicators, such as sector of employment, rank or status in employment, or professional training and background. This limits a more granular understanding of occupational segregation in Lesotho, and in turn limits the potential to provide more targeted recommendations on how to reduce gender gaps in specific sectors and areas of expertise and tiers of employment. Other constraints contributing to the poor data environment include a lack of capacity, coherence, and skills on gender issues amongst various actors, low budget for gender-related activities, and a lack of coordination among ministries, departments, and agencies and other producers of gender-related data (PARIS21 and Bureau of Statistics 2021).

For a complete overview of all gender-relevant data gaps in Lesotho’s National statistics system, see the recent assessment by PARIS21 and the Bureau of Statistics (2021) on the demand for and use of gender-related statistics by ministries, departments, and agencies.

Table H.1 presents a summary of knowledge gaps on gender equality in Lesotho and potential areas for further research.



**Table H.1: Knowledge Gaps on Gender Equality in Lesotho and Potential Research Areas**

Gender gap	Available sources	Information available and limitations	Data gaps	Potential areas for further research
<b>Health</b> What are the reasons for large gender gaps in life expectancy?				Research into the leading causes of death and whether these are linked to social, economic, or health factors
<b>Education</b> Why are women underrepresented in technical fields (information and communication technology) and science, technology, engineering, and mathematics (STEM)?	Census	Census includes question on field of study. Sporadic surveys assess girls' percentage of STEM graduates (World Development Indicators)	Bureau of Statistics reports on education statistics do not include data on women in STEM, dropout rates, or barriers to female representation in technical fields. No national database to monitor progress on education indicators	Further research needed on segregation in fields of study and pathways from school to the labor market to understand why women and girls choose certain fields of study versus men, and how this relates to overall opportunities in each area. Need to explore supply side (barriers to women's participation) and demand side (recruitment, discrimination, skills mismatch) factors. No national database or survey available—would need primary data collection
	Lesotho Council of Higher Education 2020	Council of Higher Education collects data from HEIs regularly, and conducts interviews with MoE, MOET, MDP, and Bureau of Statistics, among others. It publishes reports every two to three years, including sex-disaggregated data on enrollment, access to technology, and access to internships. It does not include data on fields of study	Data on fields of study are not collected regularly. The census includes a question on this but is only collected every 10 years	
<b>Land tenure</b> What is the gender gap in land tenure? How common is land grabbing?	Land Administration Authority database covers urban land and rural commercial land only. It reports sex-disaggregated data quarterly	Land Administration Authority database includes percentage of titles owned by men, women, and joint, for urban land and rural commercial land only. Because the majority of land is rural, most land is not included	No national consolidated land registry; no registry for rural residential land	Expand Millennium Challenge Corporation survey or similar to rural areas. Include questions in household surveys to assess land grabbing
	Millennium Challenge Corporation conducted a 2013 baseline of the Land Administration Reform Project; n=1,904, sample limited to four Maseru municipal councils (Millennium Challenge Corporation 2013)	Only baseline survey is available (n=1,904); impact study is not public. From our team's follow-up with the Millennium Challenge Corporation, not clear if it was finished		
<b>Gender gaps in wages and income</b>	HBS/CMS	One question on income (Q457). Because the question is asked of all people in a household, it can be used to analyze wages across individuals	Census does not include data on income; CMS/HBS has question on wage earnings that can be disaggregated to individual level (Q457), but data on sector are limited to a write-in question on type of work performed. No longitudinal databases are available on this. No data on private sector. Data on public sector limited to one survey, not public. Team reached out to the authors but did not receive response	HBS/CMS allows for disaggregating data on wages; we have done this for the background paper. Further investigation could look at differences by region, age, education level, and other factors

Gender gap	Available sources	Information available and limitations	Data gaps	Potential areas for further research
<b>Land and credit</b> Can/do women use land as collateral to access credit?	Millennium Challenge Corporation 2013	Millennium Challenge Corporation baseline of Land Administration Reform Project includes a hypothetical question on this. More than 50 percent said they would use land as collateral for business investment. Only 6 percent said they had taken out a loan, and of these only a third used land as collateral. This information is not sex disaggregated	Millennium Challenge Corporation survey limited to Maseru. Credit Bureau of Lesotho does not report sex-disaggregated data on credit and does not have data on collateral	Would need primary data collection for this—scale-up of Millennium Challenge Corporation survey, or similar
<b>Sex segregation in employment</b> Why are women clustered in lower-productivity, more vulnerable sectors, and at lower levels of professional fields?	HBS/CMS	One write-in question about type of work	Because it is a write-in question, an analyst would need to group the responses into sectors	Recommend gap analyses of key sectors to develop a composite view of this across the economy
	Bureau of Statistics gender booklet	Booklet reports on sex segregation in public service; however, these numbers are pulled from other surveys	No national labor force survey. No regular monitoring of sex segregation in employment in public or private sector. No studies of sex segregation in private sector	
	Public Sector Modernization Project conducted a census of public sector employees (n=50,000) (Goldsmith and Associates 2018)	Very few sex-disaggregated data reported. Women outnumber men in the public sector by 8 percent but are overrepresented in the lower grades	Public sector census has only been conducted once, no source for longitudinal analysis	
<b>Links between education and employment</b> What are the returns to women's education? Why are women not getting better jobs as they increase their educational attainment?	Census, CMS/HBS	Census includes questions on employment and education, but not income. CMS/HBS has questions on income and education level that can be disaggregated to individual level. (Note: not all questions on CMS/HBS have data from individual household members, but questions 0–600 do)		Possibility to analyze CMS/HBS data on educational attainment and wages/income
<b>Financial inclusion</b> Women have roughly equal access to financial inclusion overall. What are the gender differences in amount of credit or assets and what drives these differences?	FinMark Trust 2016	Most recent Findex survey is from 2015 and only covers women's access to accounts, finding that women tend to rely more on mobile money and on informal financial services. Does not examine determinants of this	No study or monitoring of determinants of women's differential access to credit. Eg. CMS/HBS asks about whether household took out a loan, and the source of that loan	Analyze CMS/HBS questions on loans (section 13) to explore differences in sources of loans, and amounts of loans, by sex. This could be done only at level of the household, however, because data are not reported for all household members
	Millennium Challenge Corporation 2013	No statistically significant difference between numbers of men and women with bank accounts or who had applied for credit in the past 12 months		

Gender gap	Available sources	Information available and limitations	Data gaps	Potential areas for further research
	CMS/HBS	Includes a question (Q1301) on whether someone in the household took out a loan recently, and the source of that loan	Data only recorded for household or the person in the household who took out the loan	
	Credit Bureau	No national source for data. Credit Bureau of Lesotho reporting is voluntary and not disaggregated by sex		
<b>Women and MSMEs</b> What kind of businesses do women own and what are the barriers to scale-up?	World Bank 2019	Gives breakdown of the size of MSMEs women own but does not discuss volumes of credit women access as entrepreneurs, or barriers to scale-up	Draws on other survey data. In Lesotho there are extremely limited data on MSMEs. There are no questions in the census, and no impact evaluations	Available data from Findex? Or future survey?
	World Bank 2016	Does not cover firms in the informal sector, where women are the majority, and does not discuss barriers to entry or scale-up for women	Includes data on percentage of women's participation in ownership, percentage of firms with female manager, and percentage of full-time workers that are female. Covers formal firms only	
<b>Gender and the informal sector</b> What are the working conditions of workers in the informal sector of Lesotho and are there particular gendered barriers?	World Bank 2016	Does not cover firms in the informal sector, where women are the majority, and does not discuss barriers to entry or scale-up for women	Any data on women in the informal sector	
<b>Social norms and division of labor</b> How is household labor divided by gender and what impact does that have on women's labor force participation and employment?	None found		There is no time use survey for Lesotho that could elucidate division of labor in the household. There are few national sources for data on these domains, and not many case studies. The team consulted with academics and policy makers on these questions and received much conjecture and anecdotal evidence, but very little documentation	Recommend time use survey
<b>Costs of gender inequalities</b> What are the economic costs of gender-based violence, income gaps, sex segregation in employment and other manifestations of gender inequality? What proportion of GDP do these costs account for?	Commonwealth Secretariat 2020: study of costs of gender-based violence 2020	National study: calculates costs of gender-based violence based on measured prevalence (by the survey) and reported prevalence (using police data)	No national costing studies of income gaps, sex segregation in labor market	

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